

algeria  
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jordan  
lebanon  
libya  
united arab emirates  
iraq-egypt  
bahrain  
kuwait  
morocco  
oman  
palestine  
saudi arabia  
iraq-kurdistan  
iran  
tunisia  
qatar  
yemen

# MEDIA SUSTAINABILITY INDEX 2009

DEVELOPMENT  
OF SUSTAINABLE  
INDEPENDENT MEDIA  
IN THE MIDDLE EAST  
AND NORTH AFRICA

# **MEDIA SUSTAINABILITY INDEX**

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**2009**

**The Development  
of Sustainable  
Independent Media  
in the Middle East  
and North Africa**



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## MEDIA SUSTAINABILITY INDEX 2009

The Development of Sustainable Independent Media in the Middle East and North Africa

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## USAID

USAID is an independent federal government agency that receives overall foreign policy guidance from the Secretary of State. USAID supports long-term and equitable economic growth and advances US foreign policy objectives by supporting:

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## IREX

IREX is an international nonprofit organization providing thought leadership and innovative programs to promote positive lasting change globally.

We enable local individuals and institutions to build key elements of a vibrant society: quality education, independent media, and strong communities. To strengthen these sectors, our program activities also include conflict resolution, technology for development, gender, and youth.

Founded in 1968, IREX has an annual portfolio of over \$60 million and a staff of over 400 professionals worldwide. IREX employs field-tested methods and innovative uses of technologies to develop practical and locally-driven solutions with our partners in more than 100 countries.

## Implementing Partners

IREX wishes to thank the following organizations that coordinated the fieldwork for and authored a number of the studies herein:

**Arab Media Forum for Environment and Development** (Egypt) <http://www.amfed-media.org/>

**Filastiniyat** (Palestinian Territories) <http://www.filastiniyat.org/>

**Gulf Forum for Citizenship** (Oman)

**Journalistic Freedoms Observatory** (Iraq) <http://www.jfoiraq.org/>

**Kurdistan Institute for Human Rights** <http://kihr-iraq.org/>



**MIDDLE EAST &  
NORTH AFRICA**

Introduction..... vii

Executive Summary ..... ix

Methodology.....xvii

**North Africa**

Algeria ..... 3

Egypt ..... 13

Libya..... 27

Morocco ..... 35

Tunisia ..... 51

**Levant**

Jordan ..... 65

Lebanon ..... 75

Palestinian Territories ..... 87

Syria..... 101

**Gulf**

Bahrain..... 113

Iran ..... 125

Iraq ..... 139

Iraq-Kurdistan..... 149

Kuwait..... 157

Oman ..... 167

Qatar ..... 177

Saudi Arabia ..... 189

United Arab Emirates ..... 197

Yemen ..... 209

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*Egypt and Tunisia led the way in losses, with .3 pared from the countries' overall scores. However, the two countries have very different media environments and still are separated by a wide margin in score.*



I am pleased to introduce the 2009 Middle East and North Africa Media Sustainability Index (MSI). The MSI provides an analysis of the media environment in 19 countries of the Middle East during 2009. The MSI was first conceived in 2000 and launched in Europe and Eurasia in 2001, in cooperation with the United States Agency for International Development (USAID). Since that time, it has become a universally recognized reference for benchmarking and assessing changes in media systems across the Middle East, Africa, and Europe and Eurasia.

The MSI allows policymakers and implementers to analyze media systems and determine the areas in which media development assistance can improve citizens' access to news and information. Armed with knowledge, citizens can help improve the quality of governance through participatory and democratic mechanisms, and help government and civil society actors devise solutions to pervasive issues such as poverty, healthcare, conflict, and education.

The MSI also provides important information for the media and media advocates in each country and region. The MSI reflects the expert opinions of media professionals in each country and its results inform the media community, civil society, and governments of the strengths and weaknesses of the sector. IREX continues to encourage professionals in their vital efforts at developing independent and sustainable media in their own countries or, in many cases, preserving alternative voices in the face of repressive governments.

IREX would like to thank all those who contributed to the publication of the Media Sustainability Index 2009. Participants, moderators, authors, and observers for each country, listed after each chapter, provided the primary analysis for this project. At IREX, Leon Morse managed the MSI with editorial and administrative assistance from Dayna Myers. USAID has been a consistent supporter of the MSI, helping to develop the project and ensure its ongoing implementation. In particular, IREX would like to thank Mark Koenig for his invaluable guidance and support of the MENA MSI.

We hope you will find this report useful, and we welcome any feedback.

Sincerely,



W. Robert Pearson

President, IREX

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*A question IREX sometimes receives, and is discussed by outside observers, is: “Does the public, or even the media itself, in many of these countries value quality, objective journalism?” Looking at scores for Objective 2, Professional Journalism, in the Middle East, it does seem to be a question worth exploring.*



In analyzing scores for 2009, in total the Middle East and North Africa region lost ground as a whole. Taken as an aggregate average each objective lost ground, except for Objective 2, Professional Journalism, which nudged up slightly. However, the regional breakdown of scores reveals a more complicated picture.

As a region, North Africa suffered a staggering loss in average overall score of nearly a quarter point, from 1.54 in 2008 to 1.30 in 2009. Each country contributed to this decline, as each except Algeria saw their score erode by two-tenths of a point or more (Algeria suffered a loss of .12). Throughout the region, there was a tightening of the reins on journalists and media outlets, and less tolerance for free speech on new media platforms in particular.

Egypt and Tunisia led the way in losses, with .3 pared from the countries' overall scores. However, the two countries have very different media environments and still are separated by a wide margin in score. Tunisia went from a 0.98, defined as "unsustainable," to a dismal 0.68. Egypt, in the other hand, remained within the boundaries of "near sustainability" by finishing with a 2.07, down from 2.37 in 2008. Despite the very low score for Tunisia, Egypt's drop in score might be seen as more troubling.

Tunisia under the Ben Ali regime has historically not enjoyed much leeway for freedom of speech. While at times there has been a somewhat tolerant attitude for opposition ideas seeing the light of day, in such cases these ideas have been marginalized, available only in the rare opposition newspaper. Although a degradation in score is still unfortunate and worrying there, going from 0.98 to 0.68 is a change in degree of how dreadful the free speech situation is. In 2009, a brief period of neglect ended and the Tunisian regime returned to the status quo of brutally repressing most critics.

Egypt, on the other hand, has for many years now tolerated a much more open atmosphere of dissent, even if still guarded. The Mubarak regime has kept some opposition groups, notably the Muslim Brotherhood, sidelined and squelched their ability to participate in the public sphere. But this is not the case with other opposition parties who publish readily available newspapers that are openly critical of the regime, even if certain topics are handled with care.

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*On balance, the average score in the Gulf remained the same, with losses in some countries canceling out gains in others. United Arab Emirates was one of the countries that gained in 2009.*

Therefore, the current situation that has resulted in a lower score is more troubling because one of the Middle East's more robust local media markets appears to be under threat. The threat, as it relates to MSI scores, is coming not directly through legal restrictions. The free speech objective remained static this year, although still had the lowest score of all five objectives and the only one to score below 2.00, putting it in the "unsustainable, mixed system" category. Certainly critical bloggers and others detained by security agents or prosecuted by the government would not say that Egypt is without its problems when it comes to the legal enabling environment for free speech.

Rather, the drop in score is attributable to lower scores in Objective 3, Plurality of News, Objective 4, Business Management, and Objective 5, Supporting Institutions. It appears that the lack of progress in the free speech arena is beginning to impact other areas of the media sector.

Alternate voices are having a harder time being heard, particularly if these are voices independent of the established regime and opposition. Financial pressures are making it harder for media to operate as independent businesses, and politically connected money plays a more prominent role in financing media operations. Civil society organizations face increased difficulties gaining traction to promote reform and protection of free speech. Other supporting institutions such as the Journalists Association remain politicized and hamstrung. Therefore, losses in these areas, particularly plurality and supporting institutions where Egypt was a leader in the Middle East region, is troubling indeed.

Morocco has also suffered a fate similar to Egypt, but has not enjoyed historically quite the level of tolerance for free speech. Further, the assault on the media has included both direct attacks against press freedom as well as measures that have resulted in losses in other objectives. Therefore, the overall score, as well as most individual objective scores, are solidly within the "unsustainable, mixed system" range. Only Objective 2, Professional Journalism, did not suffer a noteworthy loss in score this year, although it did inch backward. Objective 5, Supporting Institutions, suffered a significant loss in score, moving from 2.29 last year to 1.98.

In Libya, fears that recent gains, although extremely guarded, were fragile proved correct. The tiny crack in absolute control over the media by Muammar Qadhafi that was the result of media controlled by an organization under his son Saif's control was closed when those media were subsumed by the state. The gains in score in 2008 were marginal enough that Libya was still the lowest scoring country in the region, although not too far behind Syria. This year the score slid back to where it was before 2008: well below any other country in the region.

Apart from North Africa, the MENA region was a mixed bag of gains, losses, and stagnation. In the Levant, scores on balance edged upward as the Palestinian territories and Syria regained some of the ground lost previously. However, neither one has returned to the scores they achieved in the 2005 inaugural study, and Syria's scores still place it in the "unsustainable" category. Lebanon and Jordan remained mostly the same.

On balance, the average score in the Gulf remained the same, with losses in some countries canceling out gains in others. United Arab Emirates was one of the countries that gained in 2009. Every objective showed notable improvement except for, perhaps tellingly, Objective 3, Plurality of News. Further, while Objective 1, Freedom of Speech, and Objective 5, Supporting Institutions, improved, they are just inside the "near sustainability" range. Objective 2, Professional Journalism, and Objective 4, Business Management, both do yeoman's work pulling up UAE's average. The strong scores in these two objectives keep UAE from scoring the same as Jordan. It is likely that at some point in the future the performance of the media sector in these two objectives will drive reforms that improve the state of the other three, or else improvements in those areas will be held back until the situation with freedom of speech and freedom of association—an important prerequisite for strong supporting institutions—improves.

Two countries in the Gulf region, Iraq and Iran, continue to move in opposite directions. Iraq still has a long way to go: it remains a dangerous place to be a journalist, much of the media is politicized, and quality journalism is the exception. However, the country has experienced further stabilization that has allowed more breathing space for the media this year. It is likely that the improvements Iraq has witnessed in recent studies will hit a ceiling in the absence of an improved and clear legal structure (including free access to public information), more tolerance for dissenting voices, and access to apolitical revenue by media outlets.

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In Iran, the 2009 elections and the protests that accompanied them resulted in further crackdowns on the media and anyone reporting on events in a critical way. After the crackdowns in 2008 the media were already in a fragile state, particularly after the Association of Iranian Journalists (AoIJ) was declared an “illegal entity” by the government. In August 2009, after the AoIJ complained in a letter about its many members jailed in during the protests, the Tehran prosecutor ordered the offices sealed off and occupied by its agents. In addition, in June 2009 the country’s first computer crimes law was enacted, formally criminalizing the use of the Internet to spread information that the regime found threatening or inconvenient. Until 2008, Iran scored in the middle of the “unsustainable, mixed system” category. In 2008 it lost significant ground but remained in that category. This year it has fallen into the “unsustainable” category, in the range where Iraq scored in its first couple of studies. The picture for the future, as the regime consolidated its grip on dissent, is indeed grim.

## Valuing Good Journalism

A question IREX sometimes receives, and is discussed by outside observers, is: “Does the public, or even the media itself, in many of these countries value quality, objective journalism?” Looking at scores for Objective 2, Professional Journalism, in the Middle East, it does seem to be a question worth exploring. Taken as a region, the average score for this objective is 1.80, putting it in the “unsustainable, mixed system” category. Do most of the public prefer information that appeals to their own beliefs, political and otherwise? Are journalists content with the editorial line that their media outlet enforces in favor of and/or against certain political or social forces? Or is such information valued, but simply hard to find due to the efforts of people in power to control the news?

The MSI is not specifically designed to measure this, or to poll public opinion about it. However, the comments of the participants leads a reader to believe that indeed this information is valued, and that media professionals know the difference between objective information and propaganda.

A good example from the 2009 study is the Yemen chapter. Yemen scores 1.52 in Objective 2, solidly in the “unsustainable, mixed system” category. In general, panelists describe the media as a “propaganda tool.” However, panelists decry this situation, and describe what is missing in Yemen in a way that demonstrates an understanding of what constitutes better journalism. One panelist points a media outlet he describes as

*Given an opportunity to practice better journalism, Libyans did so within the parameters allowed.*

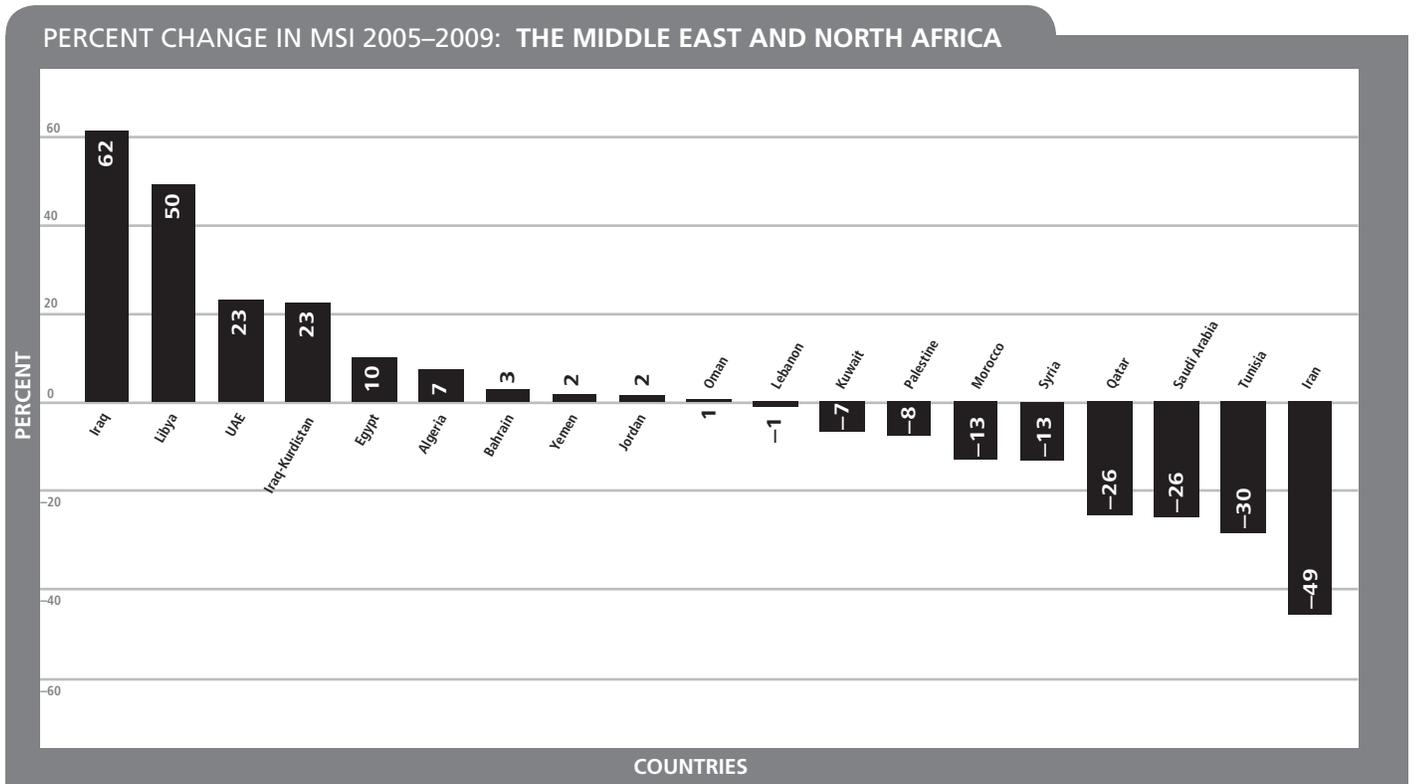
the sole exception to the propaganda outlets as an example of what could be given other circumstances. Another panelist notes that journalists indeed value professionalism and that they are pushing for the adoption of a code of ethics that would apply to the whole profession.

Yemen’s panelists also describe the obstacles to creating a better news industry. They note that self-censorship is high. They also tie in financial performance to quality journalism: the newspaper held up as an example of good journalism is described as suffering from anemic revenue streams because it does not “blackmail institutions or people for advertisements, as some newspapers do.”

Another example comes from an unlikely source: Libya. In 2008 Libya flirted with the beginnings of non-state media with the creation of media controlled by Saif Qadhafi, the son of the Libyan ruler. Although these media had little leeway to engage in critical reporting, 2009 panelists note that journalists working for these media “reported stories objectively and attempted to follow ethical standards.” Since no outlet had previously existed that could demonstrate these values, it seems likely that the journalists understood the value of this kind of information through other means, such as from observing foreign media or by their own intuition and education. Given an opportunity to practice better journalism, Libyans did so within the parameters allowed.

Perhaps the best example can be found in the Qatar chapter. Home to the Al Jazeera satellite network, some of the world’s best journalism is produced there. However, this journalism is almost exclusively reserved for its reporting on events in the Middle East and the rest of the world, and not Qatar itself. Panelists note that within Qatar, Al Jazeera is the exception for quality, objective news. For reporting on domestic affairs, panelists were much more negative. They note that local newspapers are unwilling to be critical. They point to the large number of expatriate workers in the local media who fear deportation if they were to be critical, and note that given they are expatriates, have little incentive to change the state of affairs for the better.

It is clear that Qatari media professionals value objective news and information while being critical of substandard news. Further, reviewing the other chapters within this study, it is also clear that throughout the Middle East there is high value placed upon good reporting and objective news. However, the obstacles to producing better quality news are, without exception, too difficult to overcome for the time being.



## MEDIA SUSTAINABILITY INDEX 2009: OVERALL AVERAGE SCORES

		<ul style="list-style-type: none"> <li>▼ Algeria (1.51)</li> <li>▲ Bahrain (1.87)</li> <li>▲ Iraq (1.87)</li> <li>□ Iraq-Kurdistan (1.81)</li> <li>▼ Morocco (1.78)</li> <li>□ Oman (1.90)</li> <li>□ Saudi Arabia (1.50)</li> <li>▲ Palestine (1.93)</li> <li>▼ Qatar (1.84)</li> </ul>	<ul style="list-style-type: none"> <li>▼ Egypt (2.07)</li> <li>□ Jordan (2.19)</li> <li>□ Kuwait (2.14)</li> <li>□ Lebanon (2.14)</li> <li>▲ UAE (2.30)</li> </ul>		
▼ Iran (0.81)	▲ Syria (0.94)				
▼ Libya (0.47)	▼ Tunisia (0.68)	□ Yemen (1.29)			
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY	
				SUSTAINABLE	

## MEDIA SUSTAINABILITY INDEX 2009: FREEDOM OF SPEECH

		<ul style="list-style-type: none"> <li>▲ Algeria (1.56)</li> <li>▲ Bahrain (1.96)</li> <li>□ Egypt (1.83)</li> <li>▲ Iraq (1.73)</li> <li>▲ Iraq-Kurdistan (1.97)</li> <li>▼ Lebanon (1.99)</li> <li>▼ Morocco (1.52)</li> <li>□ Oman (1.84)</li> <li>▲ Jordan (2.12)</li> <li>□ Kuwait (2.24)</li> <li>▲ UAE (2.14)</li> </ul>			
▼ Iran (0.47)	▲ Syria (0.88)	□ Saudia Arabia (1.19) <td>▲ Palestine (1.72)</td> <td></td> <td></td>	▲ Palestine (1.72)		
▼ Libya (0.48)	▼ Tunisia (0.56)	□ Yemen (1.13)	▼ Qatar (1.87)		
0 – 0.50	0.51 – 1.00	1.01 – 1.50	1.51 – 2.00	2.01 – 2.50	2.51 – 3.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY	
				SUSTAINABLE	

### CHANGE SINCE 2008

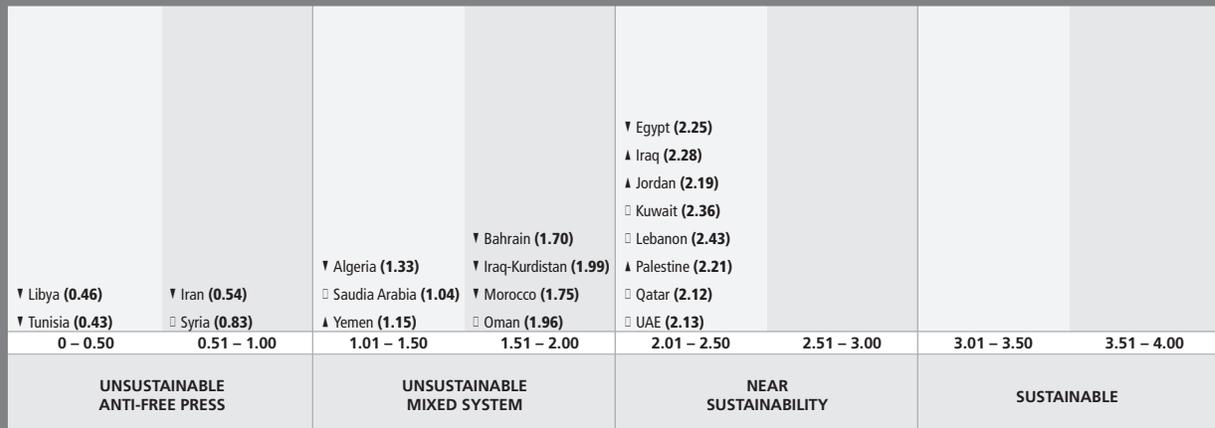
▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

Annual scores for 2005 through 2008 are available online at [http://www.irex.org/programs/MSI\\_MENA/index.asp](http://www.irex.org/programs/MSI_MENA/index.asp)

## MEDIA SUSTAINABILITY INDEX 2009: PROFESSIONAL JOURNALISM



## MEDIA SUSTAINABILITY INDEX 2009: PLURALITY OF NEWS SOURCES

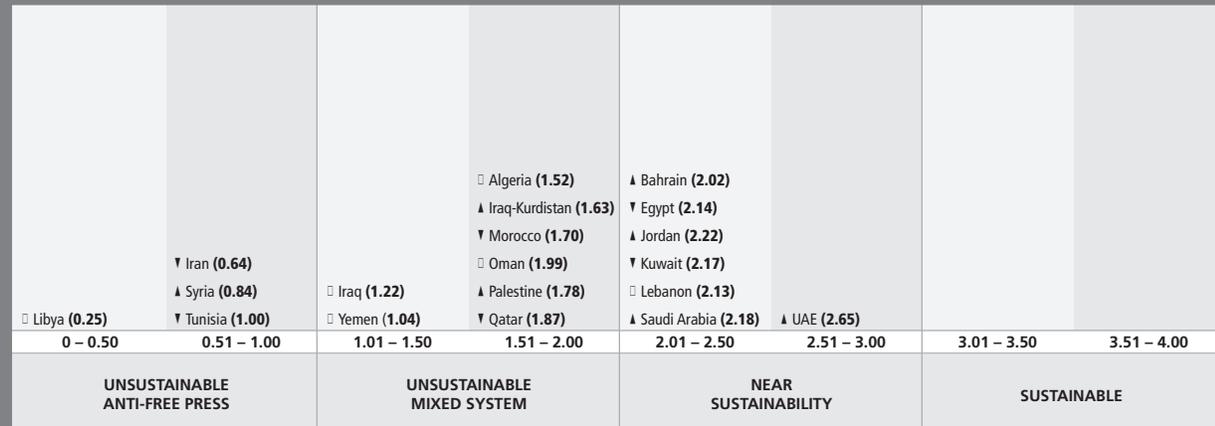


### CHANGE SINCE 2008

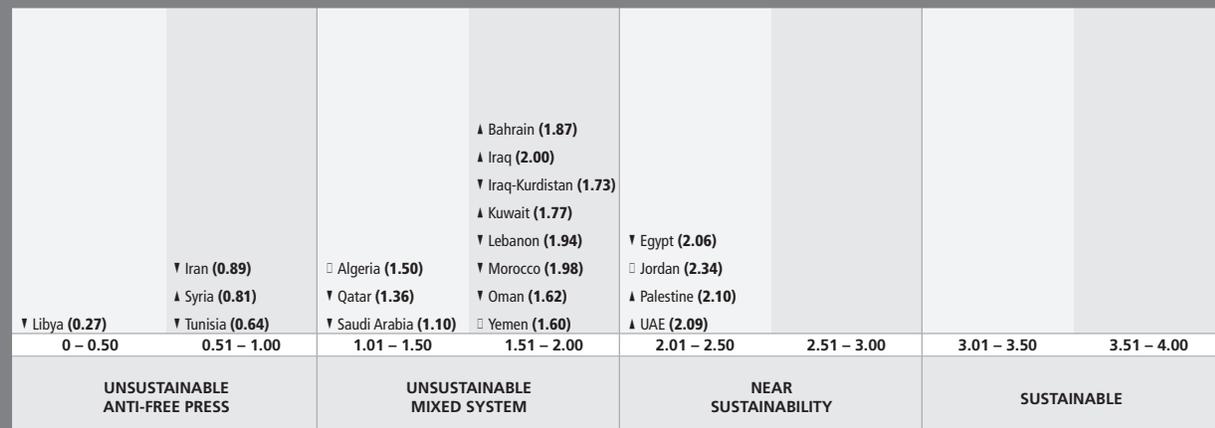
▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

Annual scores for 2005 through 2008 are available online at [http://www.irex.org/programs/MSI\\_MENA/index.asp](http://www.irex.org/programs/MSI_MENA/index.asp)

## MEDIA SUSTAINABILITY INDEX 2009: BUSINESS MANAGEMENT



## MEDIA SUSTAINABILITY INDEX 2009: SUPPORTING INSTITUTIONS



### CHANGE SINCE 2008

▲ (increase greater than .10) ▣ (little or no change) ▼ (decrease greater than .10)

Annual scores for 2005 through 2008 are available online at [http://www.irex.org/programs/MSI\\_MENA/index.asp](http://www.irex.org/programs/MSI_MENA/index.asp)

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IREX prepared the Media Sustainability Index (MSI) in cooperation with the United States Agency for International Development (USAID) as a tool to assess the development of media systems over time and across countries. IREX staff, USAID, and other media-development professionals contributed to the development of this assessment tool.

The MSI assesses five “objectives” in shaping a successful media system:

1. Legal and social norms protect and promote free speech and access to public information.
2. Journalism meets professional standards of quality.
3. Multiple news sources provide citizens with reliable, objective news.
4. Independent media are well-managed businesses, allowing editorial independence.
5. Supporting institutions function in the professional interests of independent media.

These objectives were judged to be the most important aspects of a sustainable and professional independent media system, and served as the criteria against which countries were rated. A score was attained for each objective by rating between seven and nine indicators, which determine how well a country meets that objective. The objectives, indicators, and scoring system are presented below.

The scoring is done in two parts. First, a panel of local experts is assembled in each country, drawn from the country’s media outlets, nongovernmental organizations (NGOs), professional associations, and academic institutions. Panelists may be editors, reporters, media managers or owners, advertising and marketing specialists, lawyers, professors or teachers, or human rights observers. Additionally, panels comprise the various types of media represented in a country. The panels also include representatives from the capital city and other geographic regions, and they reflect gender, ethnic, and religious diversity as appropriate. For consistency from year to year, at least half of the previous year’s participants are included on the following year’s panel. IREX identifies and works with a local or regional organization or individual to oversee the process.

Panel participants are provided with a questionnaire that explains the objectives, indicators, and scoring system. Each panelist individually reviews the questionnaire and scores each indicator. Descriptions of each indicator explain their meaning and help organize the panelist’s thoughts. For example, the questionnaire asks the panelist to consider not only the letter of the legal framework, but its practical implementation, too. A country without a formal freedom-of-information law that enjoys customary government openness may well outperform a country that has a strong law on the books that is frequently ignored. Furthermore, the questionnaire does not single out any one type of media as more important than another; rather it directs the panelist to consider the salient types of media and to determine if an underrepresentation, if applicable, of one media type impacts the sustainability of the media sector as a whole. In this way, we capture the influence of public, private, national, local, community, and new media.

The panelists then assemble to analyze and discuss the objectives and indicators. While panelists may choose to change their scores based upon discussions, IREX does not promote consensus on scores among panelists. The panel moderator, in most cases a representative of the host-country institutional partner or a local individual, prepares a written analysis of the discussion, which is subsequently edited by IREX editorial staff. Names of the individual panelists and the partner organization or individual appear at the end of each country chapter.

IREX editorial staff reviews the panelists' scores, and then score the country independently of the MSI panel. This score carries the same weight as an individual panelist. The average of individual indicator scores within each objective determines the objective score, and the average of the five objectives determines the overall country score.

In some cases where conditions on the ground are such that panelists might suffer legal retribution or physical threats as a result of their participation, IREX will opt to allow some or all of the panelists and the moderator/author to remain anonymous. In severe situations, IREX does not engage panelists as such; rather the study is conducted through research and interviews with those knowledgeable of the media situation in that country. Such cases are appropriately noted in relevant chapters.

## I. Objectives and Indicators

### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

#### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

#### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

## INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

## SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

**3** = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability.

**4** = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions.

### B. Objective and Overall Scoring

The averages of all the indicators are then averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## II. Scoring System

### A. Indicator Scoring

Each indicator is scored using the following system:

**0** = Country does not meet the indicator; government or social forces may actively oppose its implementation.

**1** = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change.

**2** = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces.





**NORTH AFRICA**

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*The country's overall economic progress did not improve the outlook for journalists, either. They continue to draw low salaries and suffer from poor economic security—in a country that is faring better overall as a result of the improving security situation and the rising price of oil, which provides more than 97 percent of the state budget revenue.*



## ALGERIA

D

During 2009, Algeria's presidential election lacked any semblance of suspense. Algerians expected all along that President Bouteflika would win another term after 10 years in office (1999–2009). President Bouteflika prepared for this third term by ensuring that the constitution was amended to allow him to nominate himself for a third term; previously, the limit had been two terms.

Unlike the political situation, characterized by total inertia, the economic and social situation underwent many changes—including some improvements. Official data from the National Office of Statistics indicated that the economic growth rate went up a few percentage points compared to 2008, and the unemployment rate dropped slightly. Yet, improvement in the economic indicators did not prevent many protests and demonstrations over social issues, such as housing crises and unemployment in some parts of the country.

The country's overall economic progress did not improve the outlook for journalists, either. They continue to draw low salaries and suffer from poor economic security—in a country that is faring better overall as a result of the improving security situation and the rising price of oil, which provides more than 97 percent of the state budget revenue. In other respects as well, the media landscape changed little during 2009, the 20th anniversary of the opening of the print media sector—but not in television and radio, as the government continues to refuse to allow competition in the broadcast sector. The government now exerts far more overt control over broadcast media than in the early 1990s, when the sector had at least a degree of openness.

The scores awarded by the MSI panelists express the state of media and political stagnation that has characterized Algeria for years. The panelists criticized not only the public media, but also the private printed press, which has not shown any improvement over the past few years despite the large number of titles. Advertising now represents the bulk of the media outlets' income, and the private press has started to come under pressure from advertisers and advertising agencies.

As in the 2008 study, the 2009 panelists focused on what they view as the dichotomy between theoretical freedoms and professional obligations stipulated by Algeria's legal and constitutional framework and the realities of an adverse environment and poor professional practice. This year, the overall MSI score fell noticeably, as only Objective 1, Freedom of Speech, managed a slight increase. All other objectives remained static or lost ground; Objective 3, Plurality of News, suffered the most dramatic drop, losing nearly half a point.

# ALGERIA AT A GLANCE

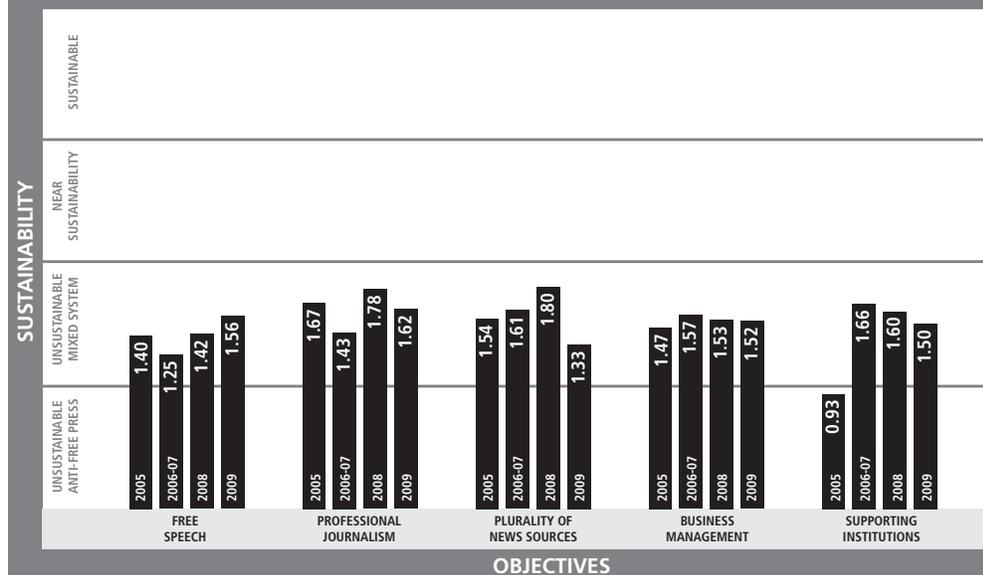
## GENERAL

- > **Population:** 34,586,184 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Algiers
- > **Ethnic groups (% of population):** Arab-Berber 99%, European, less than 1% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim (state religion) 99%, Christian and Jewish 1% (*CIA World Factbook*)
- > **Languages (% of population):** The overwhelming majority of Algerians speak Arabic and Amazighi, the two national languages according to the 2002 Constitutional Amendment. French is widespread and used in major cities and in administrative and economic management.
- > **GNI (2009-Atlas):** \$154.2 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$8,110 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 69.9% (male 79.6%, female 60.1% (2002 est., *CIA World Factbook*)
- > **President or top authority:** President Abdelaziz Bouteflika (since 28 April 1999, *CIA World Factbook*)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 65 daily newspapers and dozens of weeklies; Radio Stations: 3 national Radio Algeria channels and 2 specialized channels (cultural and Radio Koran), and 43 local radio stations, most in Algeria's provinces.  
Television Stations: 5 state-owned channels including a religious channel and an Amazighi language channel.
- > **Newspaper circulation statistics:** 364 million ([www.pressreference.com](http://www.pressreference.com))
- > **Broadcast ratings:** N/A
- > **News agencies:** Algerian News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 4.7 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: ALGERIA



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Algeria Objective Score: 1.56

Panelists expressed plenty of concerns surrounding the legal climate for the media, although the score showed minor improvement compared with last year. Within this objective, panelists delivered the lowest scores to indicator 2, which assesses the fairness of the broadcast licensing process. Indicator 7 (access to public information) also scored low; both indicators fell within the unsustainable, anti-free-press category (under a 1.00). On the other hand, indicators 8 (media access and use of international and domestic news sources) and 9 (free access to the journalism profession) both scored noticeably higher than the objective score, by a point and three-quarters of a point respectively.

Kamel Amarni, journalist at *Le Soir d'Algérie* French-language daily newspaper and secretary-general of the National Union of Algerian Journalists (SNJ), said that although Algeria's legal framework has protected the freedom of the press since April 1990, the law is not always effective and is sometimes violated. As evidence of this, he pointed to questions about the allocation of advertising, the handling of applications for licenses for new newspapers, the failure to open up the broadcast sector, and the failure to establish a high media council with qualified members. A professional high media council is needed, he said, to issue press cards to journalists and establish a functional, professional ethics council.

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Mohamed Laageb, professor of communication at University of Algiers, added that although journalists are prosecuted occasionally, the sentences are usually light, and in his view are designed mainly to restrain and intimidate the press.*

Samia Belkadi, a journalist at *Djazair* ("Algeria"), shared Amarni's view that Algeria's media sector displays many contradictions. Although it has an outward appearance of freedom of speech, the reality does not match—and the private press, which might be described as independent, is in fact in thrall to advertisers. The press cannot carry out any reporting that does not appeal to advertisers. As a result, understandably, the press has set its own tripwires that it rarely crosses, in the form of self-censorship.

According to Mustapha Bouchachi, a lawyer and professor at the Faculty of Law at the University of Algiers and chair of the Algerian League for the Defense of Human Rights, legal and social norms in Algeria generally do protect and promote free speech—with the exception of certain extremist groups. Mohamed Laageb, professor of communication at University of Algiers, added that although journalists are prosecuted occasionally, the sentences are usually light, and in his view are designed mainly to restrain and intimidate the press. However, Bouchachi said that Algeria's political institutions act outside the framework of the law and obstruct the freedom of expression, thus freedom of speech is not guaranteed.

The watchdog organization Freedom House agreed, as expressed in its 2010 report on press freedom in Algeria. It noted that a state of emergency established in 1992 remained in place throughout 2009, "...allowing the government to legally penalize any speech deemed threatening to the state or public order. A 2001 amendment to the Press Law further restricts press freedom by criminalizing writings, cartoons, and speech that insults or offends the president, the parliament, the judiciary, or the armed forces."

The government subjects the Internet to only very limited censorship—applied mainly to the websites of certain religious extremists advocating or justifying violence.

There was broad consensus among the panelists that indicator 2 (broadcast licensing) deserves low scores, given the government's ongoing monopoly over the broadcast sector. Furthermore, while the print sector enjoys greater openness,

Algerian law does require a license granted by the Ministry of Justice to establish a newspaper—and last year’s panelists said that the granting of these licenses also is politicized. As Laageb explained, authorities grant licenses to applicants illegally, as the applicable law stipulates “notification” to open a print outlet rather than “application for a license” issued under political direction.

As noted in last year’s MSI, the media are not subject to any special tax rules—media enterprises are treated in the same way as any other business.

Crimes against journalists have almost ceased following the improvement in security in Algeria since 2000. No journalists have been reported killed in the course of conducting their work since 2001; prior to then, Algeria regularly topped the list for incidents of violence against journalists. However, some intimidation of journalists persists. For example, CPJ reported that two Moroccan journalists were harassed and detained for four days in September 2010 because of their attempts to cover the refugee crisis related to the disputed Western Sahara territory. Additionally, Freedom House’s “Freedom of the Press 2010-Algeria” report noted that authorities banned three French-language publications the day before the April 9 presidential election.

Considering whether state or public media receive preferential legal treatment, the panelists agreed that public newspapers are clearly treated preferentially—as are certain private newspapers that the regime favors. They receive licenses quickly, benefit from public advertising, and are granted facilities by the government printing houses. They also receive preferential distribution through public companies.

Journalists are often prosecuted for libel, as reported by last year’s MSI panelists, and libel is punishable with imprisonment. Although prison sentences against journalists are not carried out in many cases, Freedom House reported that “a number of sentences for defamation were handed down during the year, involving both fines and prison time.”

On access to public information, the panel generally agreed that some public information is available, but several topics are off limits. Journalists do not have access to information related to the security situation, for example. Hacene Ouali, a journalist at the French-language daily *El Watan*, said that the public authorities refuse to give media professionals comprehensive information about their activities.

Souad Mekacher, journalist and correspondent at *Sawt Al-Ahrar*, added that some journalists face additional technological difficulties in accessing public information if they work away from their newspapers’ headquarters, because regional working conditions are comparatively poor.

Relatively high scores for indicator 8 (media outlets have unrestricted access to international news and news sources) reflected the panelists’ strong agreement that the availability of Internet access, the easy access to international news from Europe, and the prevalence of a foreign language (French) allow media rely on international news sources in their reporting. Still, media exercise a certain amount of caution before citing international reports that might be seen as overly critical of the Algerian government.

Panelists also gave relatively high scores to the indicator measuring the ease of entry into the journalism profession. The law does not require journalists to obtain licenses to practice journalism, although they are required to have a permit to cover government events. In the Algerian case, in light of the deteriorating social and symbolic value of the journalism profession in Algeria, the high score awarded by the panel carries a negative connotation, actually—it is too easy to become a journalist, many panelists expressed. As the journalism profession is experiencing functional instability and a deterioration of working conditions, it is not a preferred profession, and veteran media professionals are jumping ship into other professions—harming media development in the long term.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Algeria Objective Score: 1.62

This objective’s score fell slightly this year, mostly due to lower scores in indicators 1 (objective and well-sourced journalism), 2 (ethics), and 5 (pay levels for media professionals). Most indicators scored relatively close to the objective score;

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

however indicator 5 lagged behind by about three-quarters of a point while indicator 7 (modern facilities and equipment) exceeded the objective score by about the same amount.

According to Mohamed Bouazdia, a journalist and editorial secretary for *El Khabar's* daily edition, the Algerian press is experiencing a real and unprecedented disaster in terms of respect for professional ethics and technical standards. However, Kamal Zait, a journalist and the editorial director of *El Khabar's* weekly edition, disagreed; he expressed the belief that the Algerian media are moving closer towards professionalism, although they lack experience. Panelists also traced low-quality, unprofessional journalism to poor salaries and working conditions for journalists—a point that found consensus among the panel members.

Bouchachi concurred that most journalists do not comply with professional standards, and some newspapers provide only shallow events coverage. Also, some political, security, and financial powers use newspapers to mislead the public or to embarrass others in the regime and in political and economic decision-making centers, forcing journalists to transgress professional standards. Further, according to Bouchachi, some journalists have ideological tendencies that put them beyond the pale of professional ethics and standards.

The 2008 panelists noted that a council of ethics is in place, organized by the SNJ, but agreed that journalists largely ignore the council's decisions.

Amarni commented on violations of professional and ethical standards in light of changes experienced in the media landscape in recent years. Over the past decade, the number of newspapers and magazines—dailies, weeklies, or other periodicals—have increased exponentially. Mostly, he said, the aim of the new titles is to make a quick dinar for zero investment. Predictably, this draws in increasing numbers of inexperienced journalists that fail to meet standards of professionalism, lack the required level of training, and compromise the standards of journalism in the Algerian media.

On self-censorship, Sebti Ouali, a journalist at *Liberté*, agreed that the degree of control that advertisers hold frequently forces journalists to censor their own work. Algerian journalists are therefore under pressure from two sides: first, the public authorities, which control the sources of advertising together with politicians and the judiciary; and second, the domestic and international private-interest owners, who also provide advertising and might object to unflattering coverage of their activities.

Hacene Ouali said that in light of the political climate against freedom of expression, journalists often practice self-censorship—which he said is attributable to the poor

*Bouchachi concurred that most journalists do not comply with professional standards, and some newspapers provide only shallow events coverage.*

financial and economic situation of many newspapers. The panelists agreed generally that self-censorship in Algeria is associated with journalists' economic situation—including their poor salaries, and the poor financial condition of media institutions—but some pointed out that self-censorship is a result of poor training and education as well.

Regarding coverage of key events and issues, panelists agreed that "security news" is still inaccessible to Algerian journalists, despite the improved overall security situation. The journalists noted also that it is sometimes difficult to present any news about certain officials and public figures. The situation differs among various institutions and legal sectors, however. At least some independent newspapers have relatively broad freedom in addressing many topics, compared to journalism in the public sector. This is true with public television in particular, and to a lesser degree in public radio.

Belkadi expressed the view that within the radio community, freedom to address different issues varies among stations. French-language Channel 3 usually displays more freedom and delves into greater detail on the issues it raises, compared to the more formal Arabic-language Channel 1. She attributed the difference to the economic situation of the journalists themselves rather than that of their employers. It is difficult to talk about professionalism in journalism in Algeria, she remarked, when journalists receive such poor remuneration that their economic and social status—or lack of it—puts them at the mercy of whoever pays more than \$500 a month.

Among the panel's media professionals, there was a clear consensus on the topic of salaries for journalists. Ouahiba Ammari, speaking as an Algerian public television journalist, said that salaries are humiliatingly low. Zait, however, speaking as an editorial director, said that although journalists' salaries are indeed still so low as to force some journalists into taking bribes and writing articles to order, such cases remain the exception, not the rule.

Many journalists and the academics on the panel disagreed; Laageb commented that Algerian journalists lack professionalism and fail to comply with the professional and broader societal rules in their media work. The social and professional conditions of journalists are not

*Hacene Ouali commented that while some print outlets try to provide readers with an objective and credible medium, the leading media institutions—television in particular—only broadcast programs about the government’s activities, without giving the opposition or civil society organizations equal column inches or airtime.*

encouraging, and even push them in the direction of even less professional conduct.

In terms of the balance between news and entertainment, the panelists stated clearly that the amount and quality of news programming is poor compared to the entertainment programs offered.

The indicator assessing the strength of facilities and equipment received the highest score under this objective. During the discussion, Leila Gueloula, an Algerian public radio journalist, and Ammari expressed their view that equipment is of reasonable quality. Mekacher, speaking as a print media journalist and correspondent, countered that the same is not true in her area. Journalists lack the necessary conditions and facilities to conduct their work, she said, and highlighted in particular that many media outlets need proper regional offices. The opinions expressed by these panelists reflect the significant difference between the resources made available to the leading public media outlets, and even some private media, and other outlets with much weaker standing.

### OBJECTIVE 3: PLURALITY OF NEWS

**Algeria Objective Score: 1.33**

The government’s direct control of broadcast media stifles plurality of news, and this is reinforced by indirect control over many print media. This year’s score dropped, and all indicators received lower evaluations by the panelists except for indicator 2 (citizen access to media). None of the indicators scored particularly well. Indicator 1 (plurality of sources and viewpoints) scored relatively high, but less than a 2.00. Indicator 2 (citizen access to news) was the only indicator to score higher than a 2.00, and exceeded the objective score by more than a point. Indicators 3 (objectivity of state media) and 5 (private media produce their own

news) both scored three-quarters of a point lower than the objective score.

While the government’s control over the broadcast sector affects MSI plurality scores, news sources are numerous and diverse—largely because of the rich options in print. Amarni said, however, that the radio and television media field is closed to newcomers, so plurality and diversity of news sources is not guaranteed within Algeria.

Most of the panelists agreed that citizens have free access to media, and panelists provided high scores for the indicator measuring that principle. Distribution of foreign print publications is permitted with very few isolated exceptions, and in any case, usually such publications can be accessed on the Internet. Amarni noted that Algerians have growing options in new media platforms as well, as Internet access is almost unrestricted—and the same applies to foreign television channels.

As for the state media’s reflection of the political spectrum, the panelists agreed largely that Algerian public radio and television serve only the interests of the political powers in government and exclude almost all other opposing opinions, except during the official election campaigns that occur every five years. Hacene Ouali commented that while some print outlets try to provide readers with an objective and credible medium, the leading media institutions—television in particular—only broadcast programs about the government’s activities, without giving the opposition or civil society organizations equal column inches or airtime. Laageb concurred that the public media do not reflect the social and political spectrum.

### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

#### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Laageb also underlined the total absence of independent news agencies as well (although Zait noted that Algeria has one small agency specializing in economic matters). Hacene Ouali agreed that the official news agency remains under the total control of the government, and Bouchachi went further, saying that the news monopoly practiced by the official news agency and state television obstructs journalists' right to access information. On the other hand, the state's monopoly has helped render private newspapers more credible than the public press, which settles for official sources of news. Radio and television serve up the news in the same way—that which serves the regime best.

The sheer absence of private radio and television stations left panelists with no choice but to give a low score under the indicator assessing the in-house production of news by private media, as the broadcast sector is effectively a closed shop to independent broadcast media.

Laageb said that ownership of private print media outlets lacks transparency completely. With the emergence of so many private newspapers over the past few years, concerns about the transparency of media ownership are growing. According to some panelists, the ownership and funding sources of private newspapers are not transparent at all; especially as often these outlets are founded by businesspeople from outside the media sector. Today's opacity stands in contrast to the experience of independent journalism that emerged in the early 1970s, when media figures that had built solid reputations in the media sector were behind the growth.

Zait, however, disagreed: he said that ownership is transparent to some extent because all newspapers are owned by individuals, except for some new newspapers owned by companies, and the facts of ownership are not a secret.

Minority languages are represented somewhat in the media. Algeria has several radio stations broadcasting in various Tamazight languages—including Bejaya and Tamanrasset radio—and the newly established Tamazight-language television channel, which went on the air in 2009. However, Zait expressed disappointment that on the whole, most media outlets adopt a national approach in terms of their coverage, given the lack of regional media.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Algeria Objective Score: 1.52

The score for objective 4 remained unchanged this year, and all indicators scored close to the objective score.

*According to Amarni, only four or five newspapers in Algeria are managed well, with the rest dependent on public advertising that is granted to them depending on their editorial lines.*

Hacene Ouali expressed the general view among the panelists: Since the experience of Algerian independent media is still thin, spanning just 20 years, most media outlets have not yet managed to achieve stability and success in economic and financial terms. The reality is that only a few media outlets enjoy any kind of independence, he said. Bouchachi was more positive, saying that some media outlets, such as *El Watan* and *El Khabar*, are indeed independent, and over time could become what would be considered sound businesses able to withstand outside shocks. These publications own their own printing houses, and have managed to establish successful distribution companies that deliver many Algerian dailies.

According to Amarni, only four or five newspapers in Algeria are managed well, with the rest dependent on public advertising that is granted to them depending on their editorial lines. But Zait, for his part, disagreed. He said that most media outlets are well-managed businesses that generate enough profit to allow editorial independence; however, he conceded that some outlets are influenced heavily by advertisers that often interfere with editorial policy.

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

*Most of the panelists reaffirmed that the government still holds sway over the printing houses. However, they described a relatively recent, timid emergence in the private sector: printing houses owned by the independent El Khabar and El Watan.*

Advertising remains newspapers' key source of income, with a significant increase in advertising from both the international sector and the domestic private sector. Advertisers include the automobile industry, telecommunications companies, and a number of food production companies.

However, the state remains in control of more than a third of media advertising, and governmental publicity and advertising is a major component of advertising overall. The government still allocates advertisements to newspapers based on their loyalty. The National Institute of Advertising dominates the distribution of government-sponsored advertisements, without answering the calls from journalists and media owners alike for greater transparency. Government advertising generates significant income for selected media outlets, and panelists noted that income could affect their orientation, editorial lines, and independence. Bouazdia concluded that the advertising market in Algeria is driven by political considerations: quite simply, only those who support the regime get the advertising.

Government advertising, as currently allocated, is the key source of indirect subsidy to private as well as public media outlets. The government provides another type of subsidy through its printing houses. Out of political considerations, print companies can be lenient towards some newspapers and not to others in terms of payment.

Objective 4's lowest rating went to indicator 7 (broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced). The panelists said circulation and audience figures are not transparent, and the numbers that many newspapers and broadcast outlets claim are questionable, especially as no independent polling institutions work in that field in Algeria. Zait confirmed that no reliable data exist to confirm the circulation figures or total readership numbers put out by the print press.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Algeria Objective Score: 1.50

Objective 5 received a slightly lower score this year, mostly due to lower scores in indicator 4 (academic journalism programs) and indicator 6 (unrestricted access to printing facilities). These lower scores were mitigated somewhat by an increased score for indicator 3 (supporting NGOs). All indicators scored close to the objective score, except for indicator 1 (trade associations), which lagged behind by half a point.

Trade associations representing media owners and managers have disappeared largely from the Algerian media scene, barring occasional statements concerning events in the media sector. Such trade associations are compromised by the strong degree of competition between media outlets. The cultural divide between Arabic-language and French-language newspapers hampers solidarity further.

The picture for professional associations is not much brighter. Amarni, speaking as secretary-general of the SNJ (which, he stressed, is an independent organization), said that the state provides no help to the union, and in fact it tries to rein in SNJ's work. However, a union affiliated with the General Union of Algerian Workers emerged recently, and panelists said that the union is trying to address issues on behalf of the profession.

The panelists said that NGOs play a slightly stronger role. Laageb said that several human rights organizations in particular provide services to the journalism profession. Others countered that these NGOs do not provide enough assistance, given their close relationship with the regime.

### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

#### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Bouchachi disagreed, speaking as the chair of the Algerian League for the Defense of Human Rights. He pointed out that some newspapers in Algeria that have reached a level that could be described as professional and have become financially independent nevertheless receive subsidies from civil society organizations and even political parties.

Concerns about the quality of educational opportunities for journalists generated much discussion among the panelists. Most professed low confidence in the quality of programs available to media students at the government-run University of Algiers and other teaching institutions. The large number of media college graduates whose qualifications on paper exceed their abilities compromises the accomplishments of all. Laageb said that although the university plays a key role in training, its efforts fall short for a number of reasons.

Some panelists raised the issue of the generally poor English and French language skills of Algerian media students, saying that the University of Algiers appears to have stopped producing media students fluent in foreign languages. The problem affects French-language media in particular; increasingly, they are obliged to take on language graduates as journalists. Low scores for the related indicator reflect Mekacher's view that the training that Algerian universities offer to media students is inadequate. She also expressed the belief that media outlets open their doors to students who are still waiting to receive their professional qualifications.

Although panelists assessed the strength of short-term training programs slightly better, this indicator still scored fairly low, in the unsustainable, mixed-system range. Gueloula said that from her own personal experience, the Algerian Radio Institution offers a large number of training courses to improve media personnel's performance levels. Usually, such training courses are delivered in cooperation with European and other international institutions that either take on journalists for training abroad or send trainers to Algerian institutions.

Most of the panelists reaffirmed that the government still holds sway over the printing houses. However, they described a relatively recent, timid emergence in the private sector: printing houses owned by the independent *El Khabar* and *El Watan*. They are dwarfed by the government printing houses but are operating as small businesses. The panelists did point to loosening restrictions on foreign trade, and this is allowing private printing houses to obtain paper on the international market directly, rather than go through public bodies.

Many of the panelists expressed the belief that media distribution in Algeria is mostly apolitical and unrestricted. The private sector has come to play a central role in distribution, at the expense of the previously dominant public sector. Amarni said that media distribution is independent, often subject only to commercial logistical problems.

## List of Panel Participants

**Samia Belkadi**, culture editor, *Djazair News*, Algiers

**Kamal Zait**, journalist and editorial director, *El Khabar*, Algiers

**Kamel Amarni**, journalist, *Le Soir d'Algérie*; secretary-general, National Union of Journalists, Algiers

**Mohamed Bouazdia**, journalist and editing secretary, *El Khabar*, Algiers

**Ouahiba Ammari**, journalist, Algerian Public Television, Algiers

**Leila Gueloula**, journalist, Algerian Public Radio, Algiers

**Souad Mekacher**, journalist, *Sawt Al-Ahrar*, Tizi Ouzou

**Mohamed Laageb**, professor of communication, University of Algiers, Algiers

**Mustapha Bouchachi**, lawyer; professor of law, University of Algiers; chair, Algerian League for the Defense of Human Rights, Algiers

**Hacene Ouali**, journalist, *El Watan*, Algiers

**Sebti Ouali**, section editor, *Liberté*, Algiers

**Abdelkrim Hammouche**, director, Public Printing Press, Algiers

## Moderator and Author

**Djabi Abdenasser**, professor of political sociology, University of Algeria, Algiers



Egypt experienced many events in 2009 that affected the freedom of expression and freedom of the media. The political situation in Egypt, along with the Israeli military action in Gaza, heavily shaped the experience of journalists, bloggers, and media specialists.

Although serious attacks on journalists were rare, court cases against journalists and cases related to violations of publishing bans drew concern from the media and the public. Several bloggers received particular attention from the state security and judiciary and were detained or handed jail sentences; some claimed to have been beaten by police. Regarding the legal framework, journalists point to the lack of an access-to-information law as a persistent roadblock to progress.

In other respects, the press enjoys unprecedented freedom. MSI panelist Fatmah Samir Rizk, an Egyptian Television News reporter, said that there has been a major shift in the media field in the past 10 years, with the emerging satellite networks, independent newspapers, and news websites compromising the regime's control over the media and causing the state-owned media to retreat. Space has opened for the independent media and the satellite channels to attract readers, listeners, and viewers. Some of these media report critically from different viewpoints, demonstrating the obvious momentum for change generated by modern and advanced technologies. The Internet provides Egyptians with greater, more affordable access to news, with about 63 newspapers and magazines online.

Egyptian media were not immune to economic concerns in 2009. The third edition of the Dubai Press Club's Arab Media Outlook: 2009–2013<sup>1</sup> pointed to an increasing number of Arab-language newspapers but falling sales in the four most important media markets in the region—including Egypt. The report noted that the international economic crisis has dampened Arab economies, including the media industry, leading to a fall in advertising revenues of around 14 percent in 2009, and the closure of a number of newspapers, including the Egyptian *El Badeel*, just launched in 2006. Still, from a regional perspective, Egyptians bought with the highest frequency—with 93 percent buying newspapers more than once a week, 33 percent buying daily, and 12 percent buying from four to six times a week. The report highlighted Egypt's thriving newspaper industry, with some of the oldest newspapers in the world, and several independent newcomers that launched following the success of *Al-Masry Al-Youm*.

Egypt's overall score suffered a setback of three-tenths of a point, compared with 2008. While Objectives 1 (freedom of speech) and 2 (professional journalism) remained roughly unchanged, Objectives 3 (plurality of news), 4 (business management), and 5 (supporting institutions) all lost significant ground. On balance, the Egyptian media sector is one of the most pluralistic and sophisticated in the Middle East; at the same time it is often subjected to the side effects of—or actively participates in—partisan bickering. Media that are willing to push the envelope of objective or critical coverage often walk a fine line.

<sup>1</sup> "Arabic Media Outlook: 2009-2013." Dubai Press Club, 2009. available in English at <http://www.fas.org/irp/eprint/arabmedia.pdf>

# EGYPT AT A GLANCE

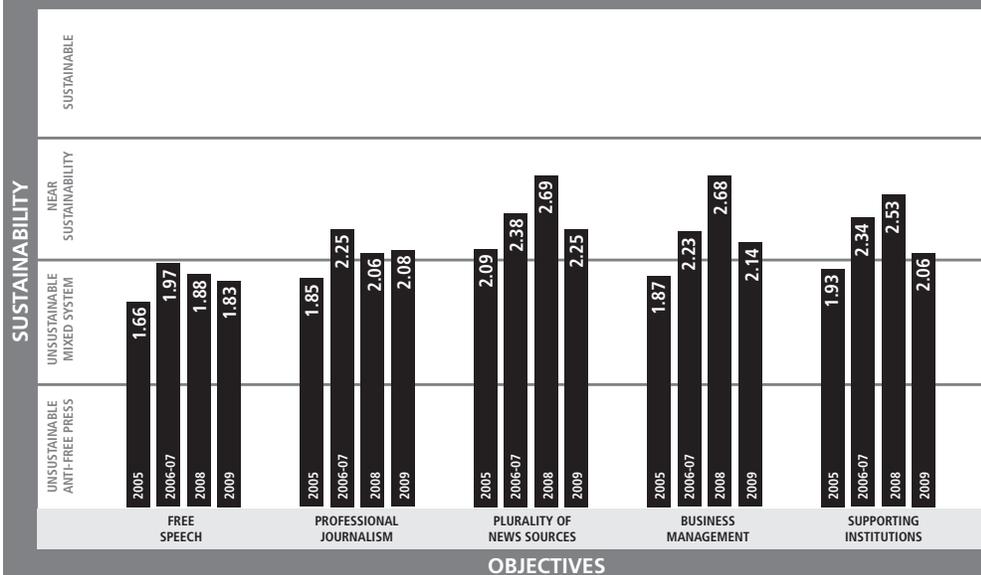
## GENERAL

- > **Population:** 80,471,869 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Cairo
- > **Ethnic groups (% of population):** Egyptian 99.6%, other 0.4% (2006 census)
- > **Religions (% of population):** Muslim (mostly Sunni) 90%, Coptic 9%, other Christian 1% (*CIA World Factbook*)
- > **Languages:** Arabic (official), English and French widely understood by educated classes (*CIA World Factbook*)
- > **GNI (2009-Atlas)** \$172 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$5,680 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 71.4% (male 83% female 59.4%) (2005 est., *CIA World Factbook*)
- > **President or top authority:** President Mohamed Hosni Mubarak (since October 14, 1981)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 18 primary newspapers and periodicals; Radio: 59; Television Stations: 98 ([www.pressreference.com](http://www.pressreference.com))
- > **Newspaper circulation statistics:** 5.3% of households subscribe (2004 *Egypt Human Development Report*, UNDP 2008)
- > **Broadcast ratings:** N/A
- > **News agencies:** Middle East News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 20 million (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: EGYPT



**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Egypt Objective Score: 1.83

The score for this indicator remained almost identical to last year. Only one indicator showed much change: indicator 9 (free access to the media profession) suffered a lower evaluation from the panelists. Further, all of the indicators received scores quite close to the objective score; only indicator 8 (media use of foreign news reports) showed any deviation with a score about three-quarters of a point higher.

While many aspects of media law in Egypt are harmonized with international human-rights standards, obstacles to freedom of expression remain in Egypt, with deep-rooted restrictions both inside and outside press establishments. Article 47 of Egypt's constitution guarantees the freedom of expression, granting all individuals the right to express their opinions verbally, in writing, by photography, or by any other means within the limits of the law—upholding self-criticism and constructive criticism as guarantees of the security of the nation's structure. Furthermore, Article 48 guarantees the freedom of the press, printing, publication, and the mass media and prohibits censorship or the use of administrative means to warn, suspend, or ban newspapers. Limited censorship may, however, be imposed in accordance with the law on newspapers, other publications, and mass media if the authorities deem public safety or national security threatened.

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Ismail Al-Eskandrany, a reporter and blogger for the Al-Sharq Al-Awsat news website, echoed these concerns, noting that in practice no newspaper, printing facility, or media outlet could be licensed without security approval.*

Mervat Ezzat, a journalist with *Al-Ahram*, agreed that the Egyptian constitution ensures the freedom of expression and opinion. Moreover, the articles of the law on intellectual property and copyright are in keeping with international law, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. According to Hanan Fekry, assistant editor-in-chief of *Watani*, the degree of freedom in the expression of opinion has expanded. Rizk agreed that the law does ensure enough freedom for journalists to perform their jobs but said that such freedoms are not unlimited. In her view, the press impacts the individual, society, and the regime, and therefore, unlimited freedom could lead to chaos.

Hany Farouk, a journalist for *Nesf El-Donya*, said that although the law supports the freedom of expression for journalists, his professional experience in the Egyptian press sector has taught him to interpret the meaning of freedom of expression as a code of ethics to prevent libel and conflicts of interest, and also not to allow advertisements in the guise of news. According to Farouk, all press organizations, whether governmental, private, or party-related, should consider the meaning of freedom of expression carefully to reach a point of agreement regarding the desired degree and nature of freedom of expression. Nevertheless, panelists observed expanding freedom in the print media, compared with state-owned radio and television outlets. Asmaa Esmat, a journalist for the opposition daily *Al-Ahram*, expressed her belief that government and civil-society organizations have already adopted and provided the appropriate atmosphere for freedom of expression.

Abd-Allah Abu El-Hamad, manager of the department of special programs at Radio Aswan Ganoub El Sa'eed and editorial director of Aswan's *Al-Manar El-Araby*, said that the state issues licenses for print media as well as radio and television stations, despite the relative freedom of expression that could be used for critical news at newly licensed outlets. The Supreme Press Council issues print media licenses, while the Egyptian Radio and Television Union grants television and radio broadcast licenses. According to some panelists, the Supreme Press Council licensing procedures are fair and competitive. Adly said that the Ministry of Information

*According to Hussam El-Din El-Amir, head of the civil-society section for Nahdet Misr, the constitution may ensure the freedom of the press and expression in accordance with the relevant international conventions—but the lack of access to information is the major problem facing journalists in Egypt, leading to unnecessary mistakes.*

grants licenses according to the laws in force, and in his view licensing procedures are fair in view of the freedom granted the private media in Egypt, and to private satellite channels in particular. He expressed the belief that some legal requirements should be met before licenses were granted, in order to prevent manipulation.

However, other panelists disagreed with this assessment. According to Shady Abd Al-Kareem, executive manager and specialist in freedom of expression at the El-Hak Center for Democracy and Human Rights, despite the constitution's assurances of a free press, in fact it is extremely difficult to obtain licenses—and additional financial restraints hamper newspaper publishing. Currently, the retained capital qualification for producing a daily newspaper is EGP 1 million (\$175,000), and the minimum for other regular periodicals is EGP 250,000 (\$45,000).

El-Hamad said that some journalists have found that they can obtain newspaper licenses from other countries, but not from Egypt. Ismail Al-Eskandrany, a reporter and blogger for the Al-Sharq Al-Awsat news website, echoed these concerns, noting that in practice no newspaper, printing facility, or media outlet could be licensed without security approval. Indeed, some sources said that even talk shows had to be approved by security organizations.

In addition, the media bear a heavier tax burden than other businesses. As a public service, newspapers used to be tax-exempt, but recently the authorities have begun to treat private newspapers as businesses—subjecting them to an expensive 20 percent tax. Previously, advertising—the financial mainstay of the newspapers—had been taxed at 36 percent, but a few years ago the rate was reduced to 15 percent. However, no further tax reductions are in sight. The taxes imposed on media outlets differ according to the medium; newspapers pay lower taxes than Internet service providers, while broadcast media pay the highest taxes in the media sector.

Regarding crimes against journalists, Al-Kareem said that attacks on media professionals declined in 2009. The attacks mostly targeted bloggers and were connected to their political work rather than their press work, in his view.

In several ways, the state-owned public media outlets enjoy preferential treatment under the media legislation. In practical terms, government media personnel face far greater ease than their counterparts in private media organizations, whether in terms of accessing information, meeting sources, or gaining access to significant receptions, conferences, and meetings. In addition, private and party-owned newspapers do not benefit from any tax breaks, while the state-owned public media outlets do.

Libel remains a criminal offense, and journalists bear the burden of proof. Although prison remains a legal option in defamation cases, no prison sentences have been handed down recently—a fact attributed to the strength of media and rights-based lobbies. Still, Fekry called for imprisonment in libel cases to be abolished and replaced with fines. There were many examples of the growing degree of freedom afforded the press and journalists recently, such as a case brought against Ibrahim Eissa for writing about the president's health. The case had been brought by the State Security Police on September 28, 2008, and originally, Eissa received a six-month sentence. The criminal court later amended the sentence to two months, and ultimately the president pardoned Eissa in October 2008.

Again this year, many of the panelists expressed deep concern over the ongoing lack of a freedom-of-information law and the practical barriers to access to information for Egyptian journalists. A bill drafted to address the problem has not been passed. Journalists face serious difficulties obtaining information from the state, and even civil-society organizations, in a transparent manner.

Fekry said journalists' access to information is not sufficiently supported even though Egypt had signed the international conventions in that regard. Nagwah Ali Ibrahim, a media specialist with the Horticultural Export Improvement Association, said that some public figures used their influence to block the release of information of public interest. According to Hussam El-Din El-Amir, head of the civil-society section for *Nahdet Misr*, the constitution may ensure the freedom of the press and expression in accordance with the relevant international conventions—but the lack of access to information is the major problem facing journalists in Egypt, leading to unnecessary mistakes. Mohamed Ref'at Al-Yemeny, administrator of online news website MenGate.TV and a reporter for the website BoswTol, added that for private or party-owned newspapers, accessing some information is as difficult as accessing military secrets—a problem that is

undermining the careers of many journalists. Meanwhile, the state-owned public media can far more easily tap public information, meet with relevant officials, or gain rapid access to news. Readers can see clearly that information is more available to journalists from government newspapers.

The Internet, however, is helping to equalize the field. Panelists reported no restrictions on accessing world news, thanks to the Internet. Some newspapers provide Internet service at special prices, and no laws govern access to publications in foreign languages. Still, although the Internet improved access to news for journalists, legal procedures ban publishing reports on some of those issues.

Panelists reported no specific restrictions on journalists covering any events in 2009, or on joining journalism schools and colleges. Political interests and the government do not interfere in the recruitment of journalists. However, the Egyptian Union of Journalists imposed a number of constraints on the registration of new members, and members enjoy numerous financial and legal privileges relative to their unregistered colleagues.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Egypt Objective Score: 2.08

Principal concerns that dominated the panel's discussion of Objective 2 included the media community's ongoing failure to actively observe the journalists' Code of Ethics, the effect of the absence of legislation ensuring the right of the journalist to access information on professional standards, and low salaries.

The degree of adherence to professional standards varies depending on the type of newspaper, whether government-owned, independent, party-owned, or online. Generally speaking, while the panelists expressed a range of views on the topic, they believe that most journalists are trying to abide by professional quality standards, but face many obstacles in the process—and as a result, standards are slipping. For example, some journalists backed away from in-depth reporting on certain issues for fear of legal action and the resulting risk of imprisonment or fines, while some editors allowed businesspeople the freedom to control the editorial policy of their newspapers.

Rizk agreed that Egyptian journalism does not meet professional standards in the editorial process; she pointed to coverage of the murder of Heba Al-Aqaad and Nadine Khalid Gamal as a glaring example. In that criminal case, Rizk said, every newspaper reported the facts differently and without proper attribution.

*According to one panelist, errors have become so prevalent among radio and television presenters and reporters that correct language is becoming the exception rather than the rule.*

Other problems the panelists underlined include the frequent failure to conduct adequate background research or check facts, a tendency to present just one point of view, and serious deterioration in the use of language. According to one panelist, errors have become so prevalent among radio and television presenters and reporters that correct language is becoming the exception rather than the rule. Subeditors and proofreaders often do not have the computer skills to deal with texts rapidly enough to meet strict deadlines for going to print or on the air. Ezzat pointed out that there are journalists in Egypt who meet professional standards of quality in terms of their writing, but they are defeated by the challenges of finding accurate sources and information.

According to Al-Eskandrany, the major problem in improving professional standards is twofold: the poor practical training opportunities for journalists and media specialists, and the failure to provide the right atmosphere to maintain professionalism. In terms of training and qualifications, there is a mismatch between the academic qualification and professional practical reality, not only because most journalism and media students gravitate toward other fields after graduation, but also because media organizations do not require new recruits to have the proper qualifications.

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

*Self-censorship is not only a political phenomenon; it is also associated with organizational and individual financial interests.*

Consequently, the theoretical qualifications become useless when graduates join more profitable sectors, and at the same time many press outlets hire unqualified personnel—and do not invest in training them up. Mohammed Saeid, an economic reporter with the Saudi News Channel, also expressed concern that given the absence of training departments at media outlets, the journalism profession includes many people with no academic or practical training.

Al-Kareem noted some additional problems: political biases, a lack of observational and field research skills, and the challenge of tapping relevant sources absent access-to-information legislation. Still, he has observed improvements among independent newspapers in the past several years and hopes to see the trend extend to other newspapers. Rania Salem, a journalist with *Al-Musawar*, pointed to the emergence of private print and radio outlets that compete for readers and listeners to support her argument that press establishments meet professional standards of quality to a great extent. The publication of *Al-Masry Al-Youm*, *El Badeel*, *Al-Sherouq*, and *Al-Dustour* created momentum that impacted positively on the journalistic development of most other daily newspapers.

Fekry also praised some of these independent newspapers for providing a degree of impartiality, and she observed that in the past couple of years, the satellite news channels and other programs, such as *Al-Aashera Masaan*, *Al-Tabaa Al-Oula*, and *90 minutes*, have reported critically from different viewpoints, demonstrating the obvious momentum for change generated by modern and advanced technologies. However, overall, she said that journalism does not meet professional quality standards, and she believes that poor editorial policy and a lack of resources among newspapers are the major reasons for the failure.

In terms of press ethics, the panelists noted that journalists must refrain from libel and from contempt for any religions, races, nationalities, sects, and ideologies, or for the advocates thereof. Journalists must not be subject to political, business, or other lobbies, and they must be able to openly differentiate between proper press material and paid advertorials. Some panelists shared their view that newspapers should respect the privacy of individuals and refrain from discussing personal matters. However, according to the panelists, most Egyptian newspapers do not abide

by the Egyptian journalists' Code of Ethics. Esmat cited the example of a businessman who provided a newspaper with funding through an annual advertising contract in exchange for not talking about him or his problems with the government. The panelists observed that many reports seem designed to either stir up or marginalize public opinion.

Self-censorship is pervasive; the panelists believe that it is a common practice by journalists and editors-in-chief. Self-censorship is not only a political phenomenon; it is also associated with organizational and individual financial interests. Many editors practice self-censorship, either out of fear or in pursuit of their personal interests. Additionally, press establishments in Egypt and in many Arab states have adopted a number of policies and restrictions in accordance with the political and economic interests of the state, which essentially constitute censorship.

Some panelists, though, view self-censorship in a positive light when it pertains to refraining from reporting on sensationalist topics—noting that there are matters recognized to be off-limits and red lines that should not be stepped over. However, recently, they perceive that fewer things are off-limits and there are fewer red lines.

Egyptian journalists consider low salaries one of the biggest problems facing journalists in Egypt even though the Union of Journalists provides them with financial allowances. Salaries for print journalists are much lower than the salaries of television and radio professionals. The problem bleeds into many other indicators. It affects ethics, as many journalists say they are forced to write to order for politicians and businessmen to get money to raise their social standing. It also impacts professional standards, as many of the most experienced journalists are compelled to take on second jobs, diluting their focus. Although poor salaries are not usually taken as a reason to abandon the journalism profession, it has long been a reality of the field. However, with modern advances in the media and the increasing number of satellite channels and programs, many newspaper journalists are trying to enhance their incomes by making programs for the satellite channels, writing for other Arab newspapers, or serving as program presenters.

El-Amir noted that the council of the Union of Journalists tried to establish standards for journalists' salaries by setting up a committee on the issue. The union attempted to set a minimum wage appropriate for the profession. Still, journalists' salaries remain poor, and many journalists suffer, especially those working for the opposition-party newspapers and some private newspapers. As a result, consumed by financial stress, many journalists resort to taking on advertising or commercial work—sacrificing their impartiality and professionalism.

On the other hand, Adly said that there had been an obvious rise in the salaries of journalists and other media professionals working on the most popular programs. He attributed the increase to the number and length of advertisements, as many journalists and media specialists could be paid high salaries if program ratings went up.

Regarding the balance between news and entertainment programming, news programs, such as *Al-Aashera Masaan*, *90 Minutes*, and *Misr Elnaharda*, remain very popular in Egypt. However, overall, sports programs get more airtime than political programs, and entertainment programming eclipsed all—in both television and radio. According to some panelists, the media have become a means to make money for many journalists and editors-in-chief as well as newspaper owners, with an increased focus on commercial and entertainment media and advertising, rather than on issues of vital importance that deserve coverage and discussion.

In terms of journalists' access to modern facilities and equipment, the capabilities of media establishments, especially their production capacities, differ from one outlet to the next, depending on their budgets. Some newspapers have superb facilities with modern, high-tech equipment, while others have headquarters based in apartments and offices, with little more than computers, printers, and paper to work with. Yet, Ibrahim said that journalists must be educated in order to get the most out of the technology, improve their efficiency, and develop and maintain a competitive edge.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Egypt Objective Score: 2.25

Egyptians have an ever-growing selection of media to choose from. Media consumers are more capable now of following societal issues than in the past; they might even find out the truth by comparing the many media outlets, especially with the growth of the Internet and satellite media. Egypt is currently witnessing an unprecedented breakthrough in presenting social problems, particularly through satellite, as citizens eagerly await certain programs on Egyptian satellite channels, such as *Al-Aashera*, *Masaan*, or *90 minutes*.

The latest Arabic Network for Human Rights Information report on the press, issued in 2009, estimated that nearly 5,500 journalists are registered with the Union of Journalists, and licensed newspapers and magazines totaled about 160 toward the end of the year. In 2009, the Internet provided Egyptians with greater, more affordable access to news, with about 63 newspapers and magazines online. By the end of

*The panelists said that it is extremely difficult to list Egypt's various media outlets accurately, given the pace of growth in plurality. Nevertheless, clearly, the majority of such outlets are concentrated in greater Cairo and a few other cities.*

2009, eight radio stations broadcast across Egypt on medium and short wave as well as FM. An "external" radio station, Radio Cairo International, broadcasts on short wave in 33 languages, and Sout Al-Arab (Voice of the Arabs) broadcasts in Arabic to Europe and the Middle East. In addition, there is Nile FM, a private radio station broadcasting Western pop music; Nogoom FM, also private, broadcasting Arabic pop; and Radio Misr, part-owned by the Egyptian Radio and Television Union, which broadcasts news and music. Radio stations dedicated to covering local communities are largely absent from the Egyptian media landscape.

The panelists said that it is extremely difficult to list Egypt's various media outlets accurately, given the pace of growth in plurality. Nevertheless, clearly, the majority of such outlets are concentrated in greater Cairo and a few other cities. Even though broadcast and print media cover broad geographic areas, the way media outlets are fed with news and information content needs improvement.

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

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*However, most of the official media—state-owned television, radio, and newspapers—take the side of the regime, but at the same time they offer opportunities for other political forces.*

Salem said that the diversity of media outlets meets the interests of most of the public. Other panelists expressed concern that the plurality comes at the expense of quality. Al-Kareem also noted an imbalance in coverage of local governments; the centralized media, produced in the capital, Cairo, cover the news of the state and public policy, with large numbers of reporters working in the various governorates. However, their news coverage of local communities is limited, except in the event of serious accidents or issues of obvious general public interest, while the local media, in the districts and governorates, are left to cover local news but lack the staff and resources to do so well.

People in rural areas have far less choice of print media, compared with their urban counterparts; furthermore, their incomes are too low to buy newspapers regularly. Before the emergence of open media, the Internet, and the various satellite channels, smaller cities and villages were deprived of news and information, whether domestic or international. Media and their sources were not independent of Egyptian state policy, with the exception of the opposition press. This has changed. Fekry commented that the Internet breakthrough is impacting the demand for printed newspapers as well; many people unfamiliar with printed newspapers use the Internet. She also suggested that rural and underprivileged areas, and Upper Egypt, could benefit from something she has seen in other countries: public screens providing news in squares and parks. She added that it would help prevent people from circumventing the law and hooking up illegal satellite connections.

Although the Egyptian authorities do not restrict access to Arab, foreign, and international media outlets, the impact of such media outlets on the development of Egyptian media content is still limited. On the use of the Internet as a news source, generally speaking, there are no restrictions anywhere in Egypt, and costs are affordable. Adly noted that no websites have been banned or blocked to date, indicative of the degree of freedom of expression in Egypt. Furthermore, panelists cited no affordability or other restrictions on television or satellite channel subscriptions. Subscription costs are low, and the government does not block any foreign media stations.

The rise of talk shows also dominated the Egyptian media landscape. By presenting important topics and encouraging direct audience interaction, this format helps viewers exercise their freedom of expression. In both print and broadcast media, Egyptians enjoy great openness in the extent of audience outreach.

Some panelists said that the programs offered by state-owned television differ from those broadcast by private media structures, but nevertheless, the Egyptian state media fail to present all points of view. There have been serious attempts in that direction—opposition programs are aired through the Egyptian satellite channels, and national television does air segments that criticize the government and present the viewpoints of various parties and the opposition. However, most of the official media—state-owned television, radio, and newspapers—take the side of the regime, but at the same time they offer opportunities for other political forces.

Adly disagreed; in his opinion, the government-owned media outlets try to maintain a social-interest dimension, in contrast to the private media—which he considers driven by commercial and financial interests and focused on rapid financial returns. He believes that the state-owned media offer more educational programming. According to Rizk, though, the official media focus on the government's activities and swings between flattery and criticism, sending viewers to privately owned Egyptian and Arab channels, such as Al-Mehwar, Al-Hayat, and Dream.

There are no independent news agencies. According to Adly, the news agency provides news in a fair, unbiased, and apolitical manner. Pointing out that just one agency, the state-run Middle East News Agency, exists to supply newspapers, El-Amir said that the Egyptian media are not completely independent of the regime. However, Egyptian media outlets also report news from global news agencies that freely circulate news.

According to the panelists, there are many television outlets capable of producing their own news programs. Al-Yemeny said that the private media often produce their own programs with content that differs from that of the programs presented by the government. For example, recently he prepared a morning radio program that included a news brief and spoke in opposition to some of the government's policies. The Egyptian media mostly produce their own programs and do not rely on buying outside material or reports, with few exceptions. Currently, channels may produce any programs they desire. At the local level, although the panelists pointed to abundant production of local news reports, the quality does not match programs created by the larger, central media outlets.

For the most part, private media owners are unknown to citizens. There are no laws or regulations governing such ownership or obliging owners to reveal their names or identities. Although private media outlets do not exactly refrain from disclosing their ownership structures, their agendas still dominate the editorial policy of the media outlets they own.

Regarding coverage of minority issues, minority newspapers are available to all in Egypt and are on sale in the streets. Nevertheless, certain social issues are not addressed by the media outlets in general, because they violate social traditions and norms. As for minority languages, the panelists acknowledged that it is difficult to dedicate programs and segments to them because they are all languages without a standard written form—unlike minority languages in other Arab states, such as Tamazight (Berber). Most important, however, the cultural issues of the minorities are marginalized, with insufficient coverage of topics of importance to minorities. Furthermore, there are no talk shows in minority languages, and minority speakers are rarely cited as sources, except in the event of disasters.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Egypt Objective Score: 2.14

After the media market had been restricted to government newspapers and media outlets for many years, the independent press and private networks have recently started to prove their capability as successful profit-generating businesses. Salem said that it became evident that the private media outlets supported themselves without government assistance when many newspapers went out of business in the aftermath of the economic crisis. According to Al-Kareem, the management strength of media outlets varies, depending on how they are governed: the state-owned media are managed as governmental organizations, while private organizations, often managed in a similar fashion by their owners, are not always so different. Al-Yemeny shared his view that many private media work hard to make a profit and show a high level of professionalism in their business management.

Salem added that their very survival proves that some media outlets are well-managed. Editorial independence, she commented, is harder to confirm, because in all media outlets worldwide, the degree of separation among owners, managers, and editors varies from one outlet to the next. Al-Eskandrany noted that it is common in the small and medium-sized television channels, and also in the non-daily newspapers, for the commercial and political interests of the owners to be directly linked to the editorial side, where

*Al-Ahram, majority owned by the Egyptian government, is the strongest newspaper in terms of advertising. With a structure in place for identifying market needs continuously, the organization boasts the largest circulation and demands the highest advertising rates.*

professional standards are often lacking. Indeed, many such outlets were established precisely to serve such commercial and political interests directly. The television networks, major channels, and the private daily newspapers reveal a more indirect association between content and the interests of their owners and media personalities, according to the panelists.

Farouk noted that the independent media outlets have become successful businesses, as reflected in the broad expansion in, and plurality of, such outlets.

Private media—print, radio, and television—rely on financing from their owners as the principal source of funding. Advertising revenue is the second most important funding source, followed by copy sales for the print media; subscription revenue is shrinking, while advertising and sponsorship show the biggest gains. None of these sources provide a guaranteed funding stream, however, and they have proved insufficient at keeping some private newspapers alive. Also, the law prohibits joint-stock companies, which is

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

*Furthermore, advertising departments in media houses generally lack the required awareness of the benefits of market research and proper techniques in conducting surveys.*

how most big newspapers are incorporated, to accept grants, donations, or sponsorship. That gives advertisers leverage to affect editorial policies.

Some media outlets, especially newspapers, are creating websites to reach the constantly expanding pool of Internet users.

Esmat noted that advertising has become the cornerstone of any press establishment's sustainability. *Al-Ahram*, majority owned by the Egyptian government, is the strongest newspaper in terms of advertising. With a structure in place for identifying market needs continuously, the organization boasts the largest circulation and demands the highest advertising rates.

The panelists noted that the procedures for advertising on local radio and television are complicated: advertisers must go to Cairo to sign contracts because the local stations have no capacity to handle financial matters locally. That drives away small local advertisers and has led to sole reliance on centralized commercials that are distributed to local stations to be broadcast.

Media directors depend heavily on advertising; Ezzat observed that it is a key source of revenue in the budget of any media establishment, print or broadcast. Some companies have even dedicated special channels to advertising.

The government subsidizes state-owned newspapers, but other than providing benefits in the form of advertising or grants in the form of tax breaks, it does not give subsidies to national press establishments. Adly shared his opinion that because the owners of the independent networks are businesspeople, they do not need government or other subsidies. Ezzat said that media outlets do receive subsidies—whether internal or external, government or foreign—and are strictly censored, especially the opposition newspapers.

For the most part, the media community has not invested in market research and opinion polls. Only a few businesspeople, with businesses not concentrated in the media field, have ventured into market research and feasibility studies. Small and medium-sized media businesses often believe they cannot risk laying out the cost of such studies, for fear of losing their investments if the survey

results fail to support their planned projects. Furthermore, advertising departments in media houses generally lack the required awareness of the benefits of market research and proper techniques in conducting surveys. Within very tight limits, a few media outlets have conducted market research and have used it to formulate strategic plans. However, most of the people conducting market research lack the necessary skills or experience, leading to distorted, unreliable results about the needs of listeners and viewers, and failing to meet the unique cultural needs of the people in each district.

El-Hamad commented that the state-owned media also do not conduct market research on audience needs—a decision that ultimately, he believes, negatively affects its message and consequently the financial value of its product. El-Amir commented that in addition to the failure to use market research in their strategic planning, most newspapers, especially the state-owned outlets, lack the technical staff to formulate marketing strategies.

Egypt does not have an official organization that produces circulation figures or broadcast ratings, and the numbers provided by the media outlets themselves are often viewed with suspicion. Major companies collect broadcast ratings figures, but the Egyptian market holds a dim view of their value for three reasons. First, the widespread use of illegal satellite hook-ups leads to inaccurate electronic readings, with a limited number of receivers working around the clock to serve entire residential areas. Second, field surveys do not necessarily cover all the geographic areas actually covered by a particular broadcast. Third, the major advertising companies preferred to hold on to their money, relying on marketing slickness to court advertisers rather than spending their money on surveys. Furthermore, managers at such channels tend to ignore the results of ratings and circulation figures.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Egypt Objective Score: 2.06

Al-Eskandrany said that it is quite controversial and surprising indeed that although publishers' associations exist, they do not conduct any institutional lobbying with the government. So far, he added, no such association exists for the private television channels.

Similarly, several panelists described the services provided for journalists as limited and ineffective. El-Amir said that the Union of Journalists is the only entity responsible for advocacy on behalf of journalists, but Al-Kareem noted that not even 20 percent of those working in the journalism and media field are registered members of the Union. Other

panelists criticized the fact that the Union of Journalists stipulates that a newspaper's management must give its approval before accepting journalists as union members—in other words, acknowledging that the interests of the press establishment come before the interests of the journalist.

On the other hand, the Union has provided some training programs to improve professional standards among its members. Further, Ezzat said that the Union of Journalists is one of the most important unions in Egypt after the lawyers' union and indeed involves itself in professional, legal, and other matters affecting journalists.

Ezzat stressed that other associations advocate for journalists in Egypt, especially for journalists from the print media. But apart from the Union of Journalists, such other unions and professional associations are rare. Some of them, such as the Arab Union for Young Journalists, play leading roles in training and in defining less abusive conditions for registering new members. Fekry conceded that there are some other organizations that provide technical and legal support for journalists but stated that most are largely ineffective.

The panelists agreed that there are many NGOs that support the freedom of expression and opinion, and lend physical, technical, and legal support to journalists facing trouble. NGOs also focus on improving the standards of journalists.

In Fekry's view, there are no quality journalism degree programs, as the courses are unrealistically difficult and the training is both excessively theoretical and insufficient.

Short-term training programs aimed at supporting journalists and giving them fresh perspective are generally offered only to young media professionals. Other programs target the capabilities of senior media specialists. Farouk noted that

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

*Farouk noted that civil-society organizations provide substantial support to independent media outlets by organizing training courses for journalists to improve their professional standards. However, their courses are often dictated by the agendas of the organizations delivering the training.*

civil-society organizations provide substantial support to independent media outlets by organizing training courses for journalists to improve their professional standards. However, their courses are often dictated by the agendas of the organizations delivering the training. Al-Eskandrany criticized the trainings as either group-oriented, requiring proficiency in foreign languages, or costing thousands of pounds or dollars for training at international specialized centers. Alternatives are either meaningless or run poorly, he said.

Control over inputs for, and distribution of, print media was a matter of debate among the panelists, and the lack of consensus over who controls what reveals the complicated nature of a key means to control the media.

Newsprint and ink are imported and subject to high duties for which the government offers no rebates. The Supreme Press Council oversees the distribution of newsprint and ink to printing companies. The largest printing presses are in the hands of state-owned printing companies or operated by newspapers that are state-run or have significant state ownership. In Al-Eskandrany's opinion, this has neither a negative nor positive effect on the operation of print media; he and some other panelists agreed that the newsprint and printing market in Egypt operates as a business-driven operation. Nonetheless, some panelists conceded that the orientation and affiliations of the businesspeople do occasionally have an impact. Other panelists argued that the state owns and/or controls most of the printing houses, and the state-owned printing houses prioritize services to the state-owned newspapers.

There are both public and private sales and distribution outlets for print media, but the key means for distributing print media is operated by the government-controlled *Al-Ahram*. However, most panelists asserted that newspaper vendors display all newspapers and do not conceal some, giving readers the freedom to choose.

Terrestrial radio and television broadcast transmitters are entirely government-owned. Government-owned Telecom

Egypt also controls much of the Internet service in the country, although panelists said that users can access the Internet freely.

## List of Panel Participants

Magdy Sanad, journalist, *Rose Al-Youssef*, Cairo

Abd-Allah abu el-Hamad, presenter and manager of special programs department, Radio Ganoub el-Sa'eed; editing director, *Al-Manar El-Araby*, Aswan

Hany Farouk, journalist, *Nesf el-Donya*, Cairo

Hesham Talat, journalist, *Al-Akhbar al-Masaaya*, Cairo

Ismail al-Eskandrany, reporter, *Al-Sharq al-Awsat*; blogger, Eskandarny Masry Blog, Alexandria

Mohamed Ref'at al-Yemeny, journalist, BoswTol.com and MenGate.tv, Cairo

Nagwah Ali Ibrahim, media specialist, Horticultural Export Improvement Association, Cairo

Rania Salem, journalist, *Al-Musawar*, Cairo

Shady Abd al-Kareem, executive director, El-Hak Center for Democracy and Human Rights, Cairo

Hanan Fekry, journalist and assistant editor-in-chief, *Watani*, Cairo

Mohammed Saeid, economics reporter, Saudi News Channel, Cairo

Ayman Adly, editor, EGYNews.net, Cairo

Hussam el-Amir, head of civil society division, *Nahdet Masr*, Cairo

*The following participants attended the panel discussion but did not submit a questionnaire.*

Gamal Inayet, presenter, Orbit Channel, Cairo

Layla Abd-Elmegeid, former dean, Faculty of Information, Cairo University; member, Supreme Press Council, Cairo

Afkar el-Kharadly, editor-in-chief, *Nesf el-Donya*, Cairo

Howaida Mostafa, professor, Faculty of Information, Cairo University, Cairo

Mustafa Elwey, head of policy section, Faculty of Economics and Political Science, Cairo University; member, Shura Council, Cairo

Saad Hagrass, editor-in-chief, *Al-Alam Al-Youm*, Cairo

Nahed Hamza, deputy editor, *Al-Akhbar*, Cairo

Wafaa Zakarya, presenter, Barnameg 'Aam, General Program Radio, Cairo

Wael Ali, journalist, *Al-Masry Al-Youm*, Cairo

Ra'fat Abd-Elkader, journalist, *Al-Massayah*, Cairo

Nesreen Mahran, journalist, *Al-Ahram*, Cairo

Eman Aamer, journalist, *Nahdet Misr*, Cairo

Toqa Nour-El Dein, presenter, Wadi el-Nil, Egyptian Radio, Cairo

Abd al-Nasr al-Banna, presenter, Nile TV, Cairo

Atteyat Ghareeb, presenter, Barnameg 'Aam, General Program Radio, Cairo

*The following participants submitted a questionnaire but did not attend the panel discussion.*

Lamis Salama, presenter, Mehwer Channel, Cairo

Asmaa Esmat, journalist, *Al-Ahrrar*, Cairo

Mervat Ezzat, journalist, *Al-Ahram*, Cairo

Fatmah Samir Rizk, reporter, Egyptian Television News, Cairo

Mohammed Alaa al-Deen Moursy, chairman of the board of directors, Ahlan al-Arabiya News Website, Cairo

Marwa Ahmad Fouad, media specialist, Plan International, Assuit

## Moderator

Randa Fouad, president, Arab Media Forum for Environment and Development

## Authors

Randa Fouad and Hossam El Amir, journalist, *Nahdet Misr*

*The Egypt study was coordinated by, and conducted in partnership with, Arab Media Forum for Environment and Development, Cairo.*



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*In June 2009, it became clear that the government was no longer interested in tolerating even mild criticism. Authorities announced that private outlets would continue to operate but the National Center for Media Services would control them.*



LIBYA

After two years of cautious optimism, this year saw marked decline in conditions for independent media in Libya, the MSI panelists reported. The country's brief experiment with private media came to an abrupt end in 2009, with the nationalization of the satellite television channel and newspapers owned by Al Ghad Media Corporation, a company that Saif al Islam al Qadhafi (Muammar Qadhafi's son) supports. While they existed, the private newspaper *Oea* in Tripoli, *Quryna* newspaper in Benghazi, and satellite television channel Al Libeyya challenged the government's longstanding monopoly on media. Unlike their state-run peers, these outlets addressed corruption and under-performing government officials and institutions—although certain issues, including the Qadhafi regime itself, remained sacrosanct.

In June 2009, it became clear that the government was no longer interested in tolerating even mild criticism. Authorities announced that private outlets would continue to operate but the National Center for Media Services would control them. In January 2010, after the panelists submitted their scores, the General Press Authority banned *Oea* and *Quryna* from publishing, on the grounds that the newspapers had failed to pay a series of bills. The outlets continued to operate online.

As in previous years, the panelists reported that the government uses the country's opaque legal system to persecute journalists and eliminate dissent, while ignoring sections of the law that protect the freedom of speech and the rights of journalists. In 2009, multiple writers, commentators, and journalists were arrested for insulting public officials. The *Good Evening Benghazi* radio program continued to face government pressure; authorities summoned host Ahmed Khalifa and several guests for questioning. Although draft legislation has existed for years, once again in 2009 the government failed to implement new laws on the press and civil society.

While the Libyan government lifted its 25-year embargo on foreign publications in February 2009, the panelists reported that this decision has yet to make a significant impact. Publications from other Arab countries and the West are hard to find and prohibitively expensive. Additionally, the government still enforces restrictions on the distribution of Libyan pro-reform magazines, such as *Arajen* and *Libyan Forum*, which are printed outside the country.

The Internet remains the sole venue for Libyans to express themselves openly and access impartial news and commentary. News sites and blogs run by Libyans continued to expand in number and improve in quality, in spite of the Qadhafi regime's attempts to censor content and threaten authors. The government has specifically targeted websites run by Libyans living abroad, and has even carried out personal attacks on the journalists that run the sites, hacking their email addresses and stealing personal information.

According to the panelists, hope for the "Libya of tomorrow" (a phrase that Saif al Islam al Qadhafi uses often) has dimmed significantly over the past year. It is clear that the Qadhafi regime is not interested in pursuing genuine reforms and reformers within the government are powerless to implement their agendas.

# LIBYA AT A GLANCE

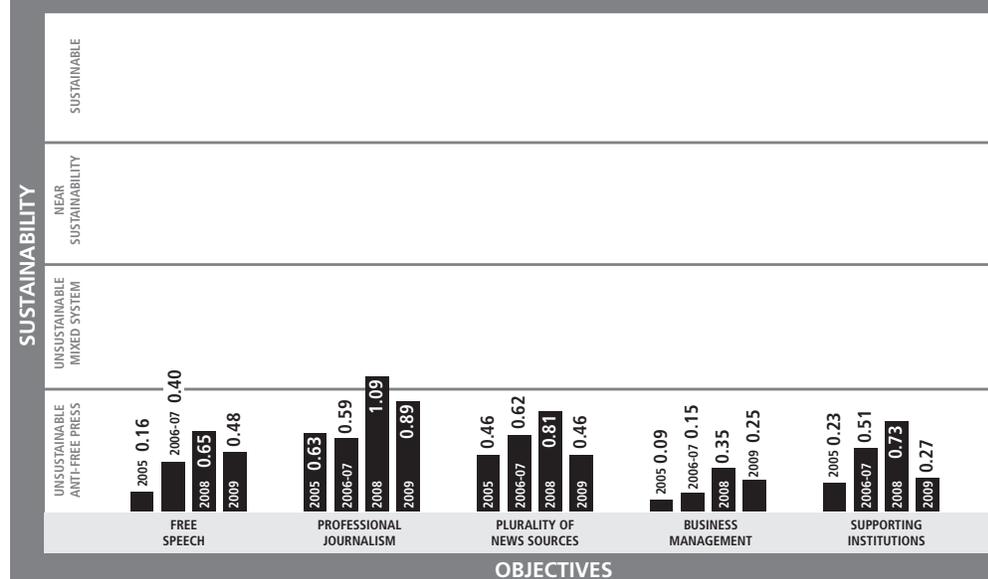
## GENERAL

- > **Population:** 6,310,434 (July 2009 est., *CIA World Factbook*)
- > **Capital city:** Tripoli
- > **Ethnic groups (% of population):** Berber and Arab 97%, other 3% (includes Greeks, Maltese, Italians, Egyptians, Pakistanis, Turks, Indians, and Tunisians) (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 97%, other 3% (*CIA World Factbook*)
- > **Languages:** Arabic, Italian, English; all are widely understood in the major cities (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$ 77.18 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$ 16,400 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 82.6% (male 92.4%, female 72.0%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Revolutionary Leader Col. Muammar Abu Minyar al Qadhafi (since September 1, 1969)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers; Radio: 24 stations; Television: 12 stations ([www.pressreferences.com](http://www.pressreferences.com))
- > **Newspaper circulation statistics:** 13 per 1,000 people ([www.pressreference.com](http://www.pressreference.com))
- > **Broadcast ratings:** N/A
- > **News agencies:** Jamahiriya News Agency, Jamahiriya Broadcasting, and Voice of Africa ([www.pressreference.com](http://www.pressreference.com))
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 353,900 (2009 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: LIBYA



#### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

#### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

#### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

#### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Libya Objective Score: 0.48

The Libyan government fails to ensure freedom of expression. From a strictly legal standpoint, ensuring such freedom is hampered by the country's lack of a formal constitution and by a tortuous system of public decrees and ambiguous legal standards. Article 13 of the Constitutional Proclamation, issued by Muammar Qadhafi after he seized control in 1969, only guarantees the freedom of speech "within the limits of the public interest and the principles of the revolution." Subsequent media and human rights laws (including the 1977 Declaration of the People's Authority, the 1988 Green Charter for Human Rights, and the 1991 Law 20 on Enhancing Freedom) all reaffirm limits on speech when it violates the "public interest" or the "people's authority," standards that inevitably the Qadhafi regime defines.

In reality, Libya has "no viable legal framework to support the existence of a competitive, independent media industry," said Mohammad Mlitan, a blogger and professor at Misurata University. Ashour Shamis, editor-in-chief of the Libya News website, added that legal protections of freedom of speech are "trotted out only when the authorities think they need to strengthen their position, never to actually protect of the freedom of expression."

In 2007, Saif al Islam al Qadhafi gave a speech stating that there are four untouchable issues for Libyan journalists and citizens. They include the application of Islamic law and the Koran, the security and stability of Libya, the country's territorial integrity, and Muammar Qadhafi himself. Mahmud Annakoua, a Libyan writer living outside of the country, said that a prevailing culture of fear perpetuated by years of oppression prevents journalists from approaching these topics. Noman Bin Othman, a media personality and expert on extremist movements, concurred and added that the dominance of the government's domestic intelligence service is a major deterrent to open expression.

Although the government has formally suspended the Publications Act of 1972, the panelists reported that authorities continue to enforce the limiting aspects of the statute while ignoring the sections of the law that allow for a private press. The Department of Publications refuses to accept license applications from private entities, preventing the formation of an independent media sector. Journalist Eisa Abdul Qayyum reported that language for a new press law has been around for years, but it will be implemented only if Qadhafi enacts a new constitution—which appears increasingly unlikely, other panelists said.

*In 2009, authorities detained Ahmed Khalifa, the host of Good Evening Benghazi—a popular radio program in that eastern Libyan city—after a guest on the show criticized Libya's human rights record. Early in 2010, the authorities shut down the show completely and arrested members of its staff.*

The Libyan penal codes place restrictions on free speech and mandate stiff penalties for those convicted of violations. Journalists convicted of slandering Libya's reputation abroad can face life imprisonment under Article 178 of the code, and Article 207 orders the death penalty for Libyans convicted of "spread[ing] within the country, by whatever means, theories or principles aiming to change the basic principles of the Constitution or the fundamental structures of the social system or to overthrow the state's political, social, or economic structures or destroy any of the fundamental structures of the social system using violence, terrorism or any other unlawful means." Libel and defamation are criminal offenses punishable by jail time, although in practice, accusers often choose to file civil cases against journalists. Generally, a special press prosecutor handles cases brought against journalists.

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*The few skilled journalists that continue to work in Libya are under extreme pressure to parrot the government line. As a result, major local and international events often go unreported or are reported through the Qadhafi regime's prism.*

Hesham Abdalhameed al Shalawy, a journalist blogger living outside of Libya, reported that since 2006, government officials have become slightly less strident in enforcing Libya's legal prohibition of independent journalists. And before they were nationalized, private outlets run by Saif al Islam al Qadhafi's Al Ghad Media Company were given some leeway by the government. That said, Libyan journalists steeped in years of violently enforced censorship rarely test these boundaries. According to the panelists, the few journalists and commentators that do are detained quickly for questioning.

In 2009, authorities detained Ahmed Khalifa, the host of *Good Evening Benghazi*—a popular radio program in that eastern Libyan city—after a guest on the show criticized Libya's human rights record. Early in 2010, the authorities shut down the show completely and arrested members of its staff.

In addition to the legal challenges that stifle Libyan journalists, the government guards information closely. The panelists reported that the state-backed outlets have a virtual monopoly on official news. Other journalists are forced to use personal connections and creative and sometimes illegal means to source their stories. Shamis said that in many cases, government officials and citizens are afraid to talk with journalists because of the possibility of retribution.

**OBJECTIVE 2: PROFESSIONAL JOURNALISM**

**Libya Objective Score: 0.89**

Under Muammar Qadhafi, the media is essentially a "weapon of ideology," panelists reported. Journalists and editors are bound by the dictates of the government and only publish articles or air programs that the authorities approve. In this environment, journalists have little incentive to improve the quality of their work or adhere to ethical standards. The vast majority of journalists lack the professional skills and qualifications to report the news effectively, according to Mohammad Tarnesh, director of the Libyan Human Rights

Committee. Nage Alharbe of Omar al Mukhtar University added that the average Libyan journalist is "an amateur with little to no qualifications."

The few skilled journalists that continue to work in Libya are under extreme pressure to parrot the government line. As a result, major local and international events often go unreported or are reported through the Qadhafi regime's prism. The panelists said that at this point, self-censorship is ingrained so deeply that most Libyan journalists do not even consider addressing potentially controversial issues.

Journalist Ramadan Jarbou said that the quality of journalism improved somewhat during Libya's two-year experiment with private media. In general journalists working for the private newspapers and satellite channel reported stories objectively and attempted to follow ethical standards. However, other panelists said that these improvements ended when the outlets were nationalized. Additionally, Al Ghad's attempts to improve the professionalism of its programming had little effect on the rest of the media sector; state-run outlets are still as unprofessional and unscrupulous as ever.

Journalists are paid poorly, and often those that can leave the profession take other, higher-paying jobs. Most of those that continue are forced to work multiple jobs to survive. Tarnesh reported that the government rarely pays salaries on time.

According to Shamis, the Libyan media sector has virtually no niche reporting, and entertainment programs often take precedence over news and information programs. Additionally, most of the equipment that Libyan broadcast outlets use to gather and produce programs is outdated and in disrepair.

**JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.**

**PROFESSIONAL JOURNALISM INDICATORS:**

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

### OBJECTIVE 3: PLURALITY OF NEWS

#### Libya Objective Score: 0.46

All Libyan newspapers and broadcast channels are controlled by either the Ministry of Information or Qadhafi's Revolutionary Committees. Media outlets rarely, if ever, stray from official propaganda, let alone attempt to counter the government line. Atef el Atrash, a media specialist with the Islamic Committee of the International Red Crescent in Benghazi, said that the government makes a show of publishing dozens of public and specialized newspapers but the information is all the same. Additionally, the international news stories that these outlets present are selected carefully to fit Qadhafi's ideological narrative.

During their brief existence, *Oea*, *Quryna*, and *Al Libeyya* were presented as alternatives to the state-run media. While they did address corruption and social issues that other outlets avoided, they did not directly challenge the Qadhafi regime or its policies. According to Shamis, these outlets only provided the illusion of plurality and were in fact "meant to pull the wool over the eyes of the people."

In February 2009, the Libyan government ended its 25-year prohibition of foreign publications, allowing *Al Ghad* to import more than 90 Arab and Western newspaper and magazine titles. The panelists said that while this was a significant step in the right direction, these publications are expensive and available only at a few locations in major cities.

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*During their brief existence, Oea, Quryna, and Al Libeyya were presented as alternatives to the state-run media. While they did address corruption and social issues that other outlets avoided, they did not directly challenge the Qadhafi regime or its policies.*

Despite the overwhelming bias of Libya's state-controlled media and the limited availability of foreign publications, the panelists reported that many Libyans access information through satellite television, which is widely available and relatively affordable. Pan-Arab television channels, including *Al Jazeera* and *Al Arabiya*, are particularly popular in Libya, the panelists said.

The Internet provides tech-savvy Libyans with another way to circumvent the regime's information embargo. A multitude of Libyan news sites and blogs have emerged in recent years, with many authored by Libyans living outside the country. The panelists reported that the Qadhafi regime has tried repeatedly to block and censor these sites, but has had little success. Both *Oea* and *Quryna* launched websites, which remain operational. According to multiple panelists, the web editions of these former newspapers have helped improve public discourse in Libya significantly.

Tarnesh provided a personal example of how the Internet is changing the media environment for Libyan journalists. Over the previous year, he wrote a number of articles that state-run newspaper refused, but ultimately they appeared online and were read widely. Tarnesh said that in spite of the government's attempts to control the media, Libyans are still hungry for information.

The panelists disagreed about whether the cost of Internet access is prohibitively high for most Libyans. Faiza al Basha, a professor of law at *Alfateh University*, reported that electronic media, including the Internet, are affordable for the vast majority of Libyans, while writer and reporter *Ahmad Rahhal* said that Internet access is limited to affluent Libyans living in major cities.

In regards to many of the other indicators in this objective, the government's stranglehold over the media translates into low scores for them. For example, state media have no room for objectivity or inclusion of dissenting opinions. Independent news agencies are totally absent. Ownership of media, while transparent, is a total monopoly. Finally, there are no independent media that can produce news that varies

*The panelists reported that advertising agencies do exist, but they are small and staffed poorly. Their work is “primitive” and essentially “propaganda,” al Basha said.*

from that produced by the government. The bottom line for media plurality is that aside from international sources, including—importantly—those focused on Libya and run by expatriate Libyans, there is very little.

**OBJECTIVE 4: BUSINESS MANAGEMENT**

**Libya Objective Score: 0.25**

In Libya, media business management is an irrelevant issue, al Shalawy said. Newspapers and broadcast stations depend completely on the government for funding and make no attempt to seek other sources of revenue. Abdul Qayyum reported that the Qadhafi regime perpetuates this system by prohibiting private investment in state-funded outlets and preventing independent outlets from opening. El Atrash added that because of decades of Qadhafi’s illiberal rule, the concept of advertising in media is unfamiliar for Libyan businesses. Alharbe agreed: “There is almost no culture of advertising and advertising is not well accepted by the population,” he said.

The panelists reported that advertising agencies do exist, but they are small and staffed poorly. Their work is “primitive”

**INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.**

**BUSINESS MANAGEMENT INDICATORS:**

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

and essentially “propaganda,” al Basha said. Abdul Qayyum expressed some optimism that the situation could improve if the government enacts the economic reforms championed by Saif al Islam al Qadhafi.

The panelists reported that the system of state subsidies has an adverse effect on the quality of media in Libya. Journalists and media managers know that they will continue to receive funding regardless of the quality of the product they produce, and thus ignore opportunities to improve, al Shalawy said.

While the Libyan government does not publish accurate statistics on the media sector, according to Jarbou, newspaper circulation has declined because newspapers are extremely expensive, the quality is generally poor, and distribution networks are inefficient. Shamis added that Libyan media outlets do not perform any sort of market research.

**OBJECTIVE 5: SUPPORTING INSTITUTIONS**

**Libya Objective Score: 0.27**

Independent civil society organizations are prohibited by law in Libya, the panelists reported. As a result, the state-run press union is the only representative organization for journalists. Unsurprisingly, the union is beholden completely to the Qadhafi regime and does little to actually protect or support journalists. Abdul Qayyum said that the situation could improve if the government enacts the civil society draft law that has been in the works for years.

While many universities in Libya have journalism departments, generally their graduates are poorly trained and lack the practical skills to become effective journalists.

**SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.**

**SUPPORTING INSTITUTIONS INDICATORS:**

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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Additionally, often the most promising students are appointed to other government positions, al Shalway said. Sanusi Bskeri, a Libyan writer living outside the country, reported that journalists working for state-run media outlets receive little in-service training. Al Ghad has announced that it would offer some basic professional development courses for journalists, although how effective these courses will be remains to be seen.

Al Shalawy added that many online journalists, himself included, do not have any formal training in journalism.

The Qadhafi regime controls the means of media distribution almost completely. It controls all broadcast distribution, relays, and transmission facilities, as well as the country's printing, publishing, and distribution houses. Some local newsstands are owned privately, but they are only allowed to sell state-published newspapers and magazines. Alharbe reported that many of these newsstands were forced to close last year because of poor sales.

## List of Panel Participants

**Hesham Abdalhameed al Shalawy**, journalist, libya-alyoum.com, United Kingdom

**Mohammad Tarnesh**, director, Libyan Human Rights Committee, Tripoli

**Mohammad Mlitan**, professor, Misurata University; blogger, Muwateen, United Kingdom

**Ashur Shamis**, editor-in-chief, libyaonline.com, London, United Kingdom

**Faiza al Basha**, professor of law, Alfateh University; blogger, Tripoli

**Atef el Atrash**, media specialist, Islamic Committee of the International Red Crescent, Benghazi

**Nage Alharbe**, editor, Omar al Mukhtar University, Al Bayda

**Ahmad Rahhal**, writer and freelance reporter, London, United Kingdom

**Ramadan Jarbou**, translator and journalist, Benghazi

**Eisa Abdul Qayyum**, independent journalist and blogger, Manchester, United Kingdom

**Mahmud Annakoua**, writer, United Kingdom

**Noman Ben Othman**, media personality, London, United Kingdom

**Sanusi Bskeri**, writer, London, United Kingdom

**Ahmad Faituri**, reporter and blogger, Benghazi, Libya

**Farsi Um al Ezz**, professor of economics, Qaryunis University, Benghazi

**Abdel Raziq al Mansuri**, editor and political blogger, United Kingdom

## Moderator

**Mohammad Latauwish**, editorial director, Al Manara Media Online, London, United Kingdom

## Author

**Aly R. Abuzaakuk**, executive director, Libya Forum for Human and Political Development, Washington, DC, United States

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*The panelists expressed no surprise that something as insignificant as a poll carried out by the French-language magazines TelQuel and Nichane in July 2009, surveying the public's views on the monarch's 10 years of rule, led police to raid their printer and destroy 100,000 magazine copies.*



MOROCCO

The 2009 MSI panel for Morocco documented a decline among media sustainability indicators. The overall average slipped two-tenths of a point in the tenth anniversary year of King Mohammed VI's accession to the throne. King Mohammed VI—who succeeded his father Hassan II on July 29, 1999—is the highest authority in Morocco. In keeping with his title as commander of the faithful, his authority is supreme, and he is accountable to no one.

The Ministry of Interior and the state's security services play crucial roles in controlling politics and the entry of political players to the field through elections, and they control the public media as well as a major part of the independent media. Even so, the king and his circle seem to grasp that he cannot rely on the old-style parties to protect his throne—those factions have weakened with age, have lost touch with the people, and strain to compete with the growing strength of the younger Islamic parties. Consequently, the king's supporters place him in the vanguard of the economic and social development meant to counteract the social degradation that fostered the sort of extremism seen in the 2003 Casablanca terrorist attacks.

The king endorses publicly building a modern and democratic society. In reality, his critics charge, he suppresses and weakens opposition parties and forges alliances that leave political clients beholden to the monarchy. In 2009, local elections further dimmed prospects for democratic development. The Party for Authenticity and Modernity (PAM), founded by Fouad Ali El Himma—a friend of the king—swept the local elections as well as took the lead in the second chamber of the Moroccan parliament. PAM's win prompted political figures to abandon their parties and join the new party in droves, to take advantage of PAM's influence and protect their interests.

The panelists expressed no surprise that something as insignificant as a poll carried out by the French-language magazines *TelQuel* and *Nichane* in July 2009, surveying the public's views on the monarch's 10 years of rule, led police to raid their printer and destroy 100,000 magazine copies. The police acted on the pretext that merely evaluating the king's work smears the monarchy's reputation. Another disturbing development is the disappearance of some of the major independent platforms—including *Le Journal Hebdomadaire* ("The Weekly Journal"), which criticized the monarchy's authority and control over vital economic sectors.

The panelists returned lower scores for all five MSI objectives this year. A report by the National Trade Union of the Moroccan Press (known by its French acronym, SNPM) covering May 2009 to May 2010, backs the panel's negative assessment. The SNPM assessment was based on indicators established by UNESCO<sup>1</sup> and found that adverse trends observed in previous years have intensified alarmingly—clearly threatening all progress made in the field of journalism and the media.

<sup>1</sup>*Media Development Indicators: A framework for evaluating the development of the media*, Intergovernmental Council of the International Programme for the Development of Communication (IPDC), twenty-sixth session, March 26–28, 2008, UNESCO reference no. CI/COM/2008/PI/3.

# MOROCCO AT A GLANCE

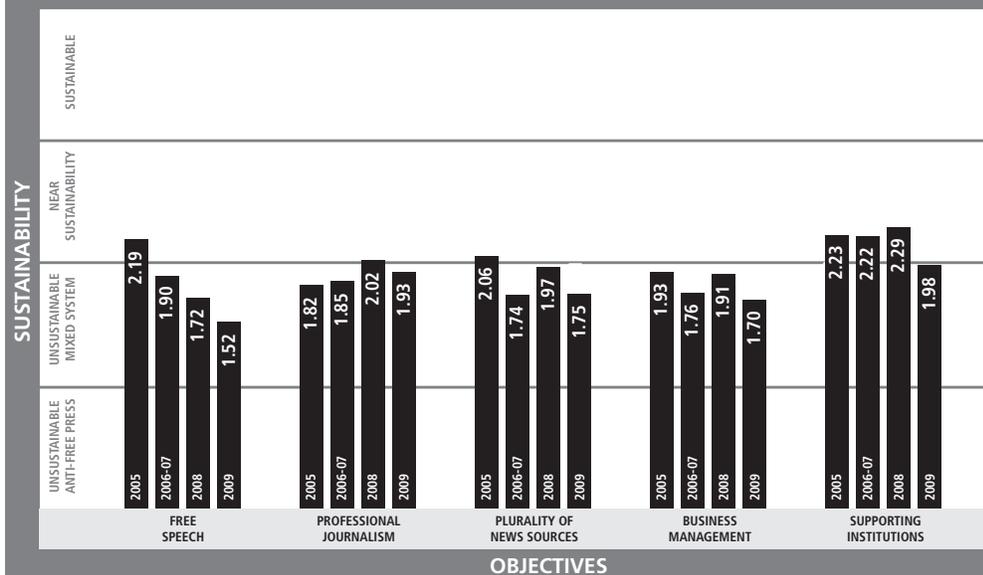
## GENERAL

- > **Population:** 31, 627,428 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Rabat
- > **Ethnic groups (% of population):** Arab-Berber 99.1%, other 0.7%, Jewish 0.2% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 98.7%, Christian 1.1%, Jewish 0.2% (*CIA World Factbook*)
- > **Languages:** Arabic (official), Berber dialects, French often the language of business, government, and diplomacy
- > **GNI (2009-Atlas):** \$89.93 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$4,400 (World Bank Development Indicators, 2009)
- > **Literacy rate:** 52.3% (male: 65.7%, female: 39.6%) (2004 census, *CIA World Factbook*)
- > **President or top authority:** King Mohammed VI (since July 30, 1999)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 285 Arabic, 90 French, and 9 Amazigh publications; Radio Stations: 13; Television Stations: 4
- > **Newspaper circulation statistics:** 300,000 daily
- > **Broadcast ratings:** N/A
- > **News agencies:** Maghreb Arabe Presse Agency (state-owned)
- > **Annual advertising revenue in media sector:** \$262 million (Ministry of Information website, 2005)
- > **Internet usage:** 13.213 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: MOROCCO



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Morocco Objective Score: 1.52

Freedom of speech scores continued to decline in 2009, with a number of negative trends behind the deterioration. The major factors that panelists cited include the sense of increasing repression against independent newspapers, the imprisonment of journalists and bloggers, the disappearance of leading independent platforms, and outright bans on publications—the most direct attack on press freedom.

The Press Law of 2003 protects the freedom of expression. But often, security forces and a judiciary that cannot be called independent interpret broadly the sections of the press law that criminalize any “threat” to the monarchy, Islam, or territorial unity—rendering fragile any support for the freedom of the press. Civil society has increased appeals to advance debate on reforming the Press Law and passing a law guaranteeing the right of access to information, but those efforts have failed to date.

Panelists pointed to a number of recent cases of repression against journalists that illustrate the weakness of the press law and the growing insecurity of independent outlets. They referred to the circumstances surrounding the forced closure of the weekly news magazine *Le Journal Hebdomadaire* and then *Al Jarida Al Oula* (“*The First Newspaper*”); the destruction of issues of *TelQuel* and *Nichane* weekly magazines in July 2009; the closure of the independent

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Arabic-language daily *Akhbar Al Youm* (*Today's News*) without legal justification in September 2009, and the fabrication of criminal charges against its director, Taoufiq Bouacharine (also an MSI panelist); the detention of the blogger Al Bashir Hizam; and the imprisonment of another journalist, Idris Shehtan, in October 2009, for publishing an inaccurate story about the health of the king.

Near the end of 2009, judicial and administrative authorities liquidated Media Trust, the company behind *Le Journal Hebdomadaire*—considered by many Morocco’s most important independent platform. The official reason was failure to pay its debts. In February 2010, Hiran Mustafa, a journalist at *Le Journal Hebdomadaire*, wrote in an online commentary that most newspapers failed to report the initial news of *Le Journal Hebdomadaire*’s closure—a move he labeled political—although he said that a number of online discussion forums addressed the incident. He noted that later, other papers with ties to the authorities proceeded to cover Media Trust’s financial troubles to excess.<sup>2</sup>

Mustafa explained that *Le Journal Hebdomadaire*, which began in 1997 as *Le Journal*, focused mostly on finance and the economy originally, but gradually expanded into the political arena, including issues related to the royal palace. According to some panelists, the magazine showed courage in pursuing sensitive political topics. Its managing team, particularly under the direction of Aboubakr Jamai, developed it into a serious and professional independent forum—but at a price. After a heated struggle with the authorities, it re-emerged in 2000 as *Le Journal Hebdomadaire*. In a climate of building pressure against the independent press in Morocco, the management of the magazine’s editorial board has retained the same editorial line, according to Mustafa. During difficult times for Morocco and the press—including crackdowns following the terrorist bombings in Casablanca in 2003—*Le Journal* stood at the heart of the storm, suffering from prosecutions and financial harassment.<sup>3</sup>

*Le Journal Hebdomadaire*’s financial troubles date back to 2006, when a Moroccan court delivered a devastating blow and ordered it to pay MAD 3 million (approximately \$354,000 at that time) in damages in a defamation case filed by Claude Moniquet, head of the Brussels-based European Strategic Intelligence and Security Center. Moniquet claimed that *Le Journal Hebdomadaire* defamed him in an article questioning his group’s independence. The article was based on a report that his organization authored on the disputed

<sup>2</sup>Mustafa, Hiran, “Le Journal libdomadir:” The story of the assassination of the most important independent journalist platform in Morocco. February 2010. Available (in Arabic) at <http://www.hespress.com/?browser=view&EgyxpID=18430>

<sup>3</sup>Ibid, Mustafa.

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Western Sahara. The article said that the report reflected the official state view closely—to a degree that suggested that it had been prepared at the government's request and had even been financed by the government. The article expressed the view that such reports did a disservice to the case of Western Sahara.

Jamai left Morocco after the 2006 ruling and a subsequent series of evidently politically motivated cases of harassment against his magazine. The harassment appeared to ease for a time, according to Jamai, but when he returned to Morocco in 2009 and resumed his critical journalism, the government intensified its efforts to drive advertisers to boycott the magazine. Jamai later noted that Trimedia, *Le Journal Hebdomadaire's* owner, could have paid its creditors if the authorities had refrained from regularly ordering advertisers to boycott.

In September 2009, the Supreme Court upheld the damages award in the Moniquet case, and the Commercial Court moved with unusual and surprising alacrity to liquidate the business. On January 27, 2010, authorities took control of *Le Journal Hebdomadaire* and seized its assets, just as the latest issue was being put to bed, and after a Casablanca commercial appeals court declared Trimedia bankrupt and the magazine's former publishing group, Media Trust, bankrupt as well. Initially, court papers were served and the journalists continued to work, but minutes later, bailiffs returned with locksmiths, removed the journalists from the premises, changed the locks, and sealed the facility.

In an interview after his return from "optional" exile, Jamai told *Al Hayat* that the political landscape is not yet able to absorb the experience of a truly independent press, or set the country on a true path of change.<sup>4</sup> The panelists found the *Le Journal Hebdomadaire* story representative of the tragedy of the free press in Morocco and the impunity with which crimes against press freedom are committed. Mohammed Al Wafi, a journalist from Channel 2M television and chair of one of its two unions, shared his view that an important segment of readers has been deprived of a valuable publication. Al Wafi noted that large numbers of institutions and companies in Morocco fail to meet those same obligations, yet they have not been shut down or sued by the social security fund or the relevant ministry. Mohammad Hafeez, director and managing editor of *Al Hayat Al Maghrebiya* ("*Moroccan Life*"), spoke of a conversation he had with a director of a party newspaper on the closure of *Le Journal Hebdomadaire*. The director told him that if the authorities had sought to apply the same financial management standards to his newspaper, it would have closed down a long time ago.

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<sup>4</sup>Ibid, Mustafa.

Lahidh Mohammed Alsassi, university professor of law and political activist, added that there are hidden figures within officialdom and in some independent media platforms that manipulate the newspapers from the shadows—which would be impossible without at least the tacit consent of the state. The newspapers affected most adversely are those with opinion writers such as Jamai and Bouacharine, known for taking a more critical stance.

Another major blow to the independent press came following a poll carried out by the French-language weekly magazines *TelQuel* and *Nichane* in July 2009. The poll assessed the outcome of the monarch's first 10 years of rule, prompting severe backlash from the authorities despite the fact that the poll yielded largely favorable results for the king. Minister of Communications Khalid Naciri declared that merely evaluating the king's work is damaging to the reputation of the monarchy, and on this pretext, police destroyed of 100,000 copies of the August 4, 2009 edition of *TelQuel* and its Arabic-language version, *Nichane*.

This event marked the second time that the authorities expressed their displeasure with *Nichane* and *TelQuel* in this way. In 2007, the authorities destroyed 100,000 copies of the two weeklies following the publication of an editorial that included a critical analysis of a speech delivered by the king. One panelist characterized the 2007 and 2009 seizures as illegal sanctions, outside the scope of the law and the judiciary.

Ahmed Benchemsi, the director of publication for *TelQuel/Nichane*, challenged the decision before the Administrative Court of Casablanca—but the court's ruling came as no surprise. The court found it no longer feasible to overturn the administrative decision ordering the destruction of the August 4 issues, because what had happened could not be reversed. Yet, if the court had ruled the administrative decision unlawful and struck it down, it would have established an entitlement to damages and would have allowed the magazines to be reprinted.

The panelists also pointed to their co-panelist, Bouacharine, as one of the most significant victims of the political repression of the media in 2009. His story shed light on the status of the independent press, and the extent of unjust and arbitrary treatment that sidelines the law itself. Bouacharine reported that the Saturday, September 26, 2009 issue of his paper contained a cartoon about the wedding of Prince Moulay Ismail, a cousin of the king. The cartoonist relied on the official communication on the event, which stated that the wedding would be held in the Moroccan style, and portrayed the Prince Moulay Ismail in traditional costume and fez, raised on an *amaría* in keeping with Moroccan tradition.

A few days later, 20 members of the security forces stormed the newspaper offices and closed down its headquarters without written authorization, and proceeded to confiscate issues ready for distribution. Later, citing the cartoon, the authorities shut down *Akhbar Al Youm's* parent publishing company. Investigations against Bouacharine and Kadar soon commenced, and the prince lodged a complaint on the grounds that the cartoon was abusive and a violation of the respect he is due as prince. Those charges were handled as a civil case under the press law.

The public prosecutor filed additional charges for insulting the national flag. The alleged insult was that the flag is drawn to resemble a Star of David. (Bouacharine also claimed that the leader of the Jewish community in Morocco was paid to issue a statement claiming that the cartoon was anti-Semitic.) It soon became clear that the public prosecutor was seeking to prosecute Bouacharine's case under relatively recent and tough criminal legislation that stemmed from flag-burning incidents in El Samara, Western Sahara, in 2005.

Furthermore, the authorities subjected Bouacharine to drawn-out questioning that dragged on to become a kind of detention. Similar practices have been seen before, and the panelists commented that the practice constitutes an unjust and arbitrary treatment of journalists. Authorities do not conduct interrogations at reasonable times or under reasonable conditions, and as such should be seen as an assault on journalistic freedom and journalists and an abuse of power, panelists said.

*Akhbar Al Youm* petitioned the Administrative Court to lift the physical blockade of its facility while the case was being prepared, but the various judicial authorities stalled until the kingdom's judicial commissioner produced a decision by the prime minister. It ruled that the police actions were legal under article 66 of the press law, prohibiting the public display of any publication harmful to youth or inconsistent with public morality. During the investigative phase, the Maghreb Press Agency (MAP) churned out a barrage of criticism and condemnation of the newspaper and its owner, leveled by nearly every political party.

The public prosecutor submitted that the cartoon was based on sarcasm and that it is forbidden by the Qu'ran to make people who might be better than oneself the butt of jokes; the defense countered that the cartoon neither mocked religion nor ridiculed the prince. In the civil case for disrespect against the prince, in October 2009 Bouacharine and Kadar were sentenced to three years' imprisonment and a fine of MAD 3 million (about \$395,000 at that time) in compensatory and punitive damages to the prince. The prince later withdrew his suit after an apology by Bouacharine to

the prince before the Court. In the charge of insulting the flag, the court handed the defendants one-year suspended custodial sentences and a fine of MAD 50,000 (approximately \$6,700), and upheld the Ministry of the Interior's initial closure of the paper. In December, the Court of Appeal in Casablanca endorsed the two verdicts and their penalties.

As a result of the prosecutions and harassment, Bouacharine was forced to acquire new equipment and set up another daily newspaper, titled *Akhbar Al Youm Al Maghrebiya* ("*Today's News of Morocco*"). The suspended prison sentences, meanwhile, weighed heavily upon him; he felt the threat even more keenly in the light of the imprisonment that same month (October 2009) of journalist Idris Shehtan, the director of *El Misha* ("*The Torch*"), which many took as a message to all journalists. Shehtan's story is detailed later.

To control bloggers reporting on student protests in the Taghijit area in the south, the authorities made use of laws designed to guard Morocco's reputation in the field of human rights, and publishing news that threatens public order. In a December 2009 public statement entitled "Enough of Being Gagged," the Executive Office of the Association of Moroccan Bloggers reported on events surrounding a decision by the Court of First Instance in Guelmim, in southern Morocco. On Tuesday, December, 15, the court ruled against blogger Bashir Hizam and Internet café owner Abdullah Boukfou and gave them prison sentences and fines for their coverage of the crackdown on the protesters. Security services subjected Hizam to several interrogation sessions, focusing especially on a statement signed by a committee of arrested students, his coverage of events, and his opinion pieces. Initially, he was charged with "tarnishing the country's reputation in the field of human rights and publishing offensive material on international sites." The second charge was amended later to "publishing incorrect news and facts liable to disturb public order," and ultimately, that charge became "incitement to hatred, racism, and violence." Boukfou was also found guilty and sentenced after the authorities raided the website club that he was running, arrested him, and confiscated the computers.<sup>5</sup>

In terms of licensing, Morocco has an open system for licensing and entry into the market for print media, involving permits regulated by the press law. The High Authority for Broadcasting Communication (known by its French acronym, HACA) is the body responsible for licensing television and radio, and as noted by previous MSI panels, broadcast license distribution is not transparent. According to a number of 2009 panelists, political considerations have influenced HACA's distribution of licenses to satellite television news

<sup>5</sup><http://maghrebblog.maktoobblog.com/> (in Arabic).

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channels, under the name Medi 1 Sat, together with 10 local or regional radio stations. HACA did not grant licenses to any independent television stations in 2009, and panelists took that as proof of the state's fear of the liberalization. At the beginning of the decade, the king issued royal decrees that established HACA and ended the state monopoly of radio and television broadcasting. The state facilitated the privatization of a single channel, Medi 1 Sat, in 2006, but then also intervened to renationalize the channel. Today, the government is Medi 1 Sat's majority shareholder.

Last year's MSI study detailed HACA's suspension of television licensing, despite first opening up a licensing competition. HACA justified its decision on the grounds of the weakened state of the advertising market and Medi 1 Sat's financial crisis. As for radio, typically most of the stations that receive licenses are more concerned with recreational activities, such as music and chat, or economic subjects, panelists noted.

Muhammad Al Aouni, a journalist with the National Radio and Television Broadcasting Company (known by its French acronym, SNRT) and chair of the new Organization for Freedom of Expression and the Media, commented that Morocco now lacks any private television station. He said that the dearth is a direct consequence of decisions by HACA, which essentially has succeeded in governing the content of television broadcasting. In that connection, he noted certain conflicts of interest regarding the statuses of several HACA members—some with links to PAM and the king in particular. Al Aouni said that he finds it difficult to imagine how members of HACA so closely associated with a particular political party could maintain their neutrality, especially since HACA is supposed to practice political pluralism in its official distribution of licenses.

Panelists said the monarchy has controlled HACA's membership composition since its inception. Some of its members have continued on even after their five-year terms expired;<sup>6</sup> while on the other hand, some members that left HACA to take up other posts were not replaced within the legally stipulated 15 days. Indeed, some that quit over five years ago still have not been replaced. The SNPM 2009–2010 report detailed stagnation and even regression in HACA's ability to implement the powers granted to it by royal decree in 2002 and reinforced by the radio and television media law in 2005.

While the panelists did not name any instances of physical attacks on journalists in the period of study, crackdowns

<sup>6</sup>A total of four members out of nine, two of them appointed by the prime minister and the other two by the speaker of parliament. The remaining five members, who are appointed by the king and for no specific term of office, can be removed at any moment, but can also be kept on for as long as the king desires.

and harassment of independent media continued, including security force interrogations and degrading, inhumane treatment of journalists. As noted in last year's MSI, only print media outlets report on attacks against journalists—radio and television media do not address these crimes.

Mariam Alteji, a member of the association of Moroccan bloggers, stressed that charges have been brought against a number of Internet bloggers as well. They vary from charges related to violations of the respect due the king (as filed against blogger Mohammed Raji in 2008), publishing information prejudicial to the reputation of Morocco (as seen in the case of Hizam in connection with the events of Taghjiit in the South), and the still-pending prosecution of English-language blogger Abdel-Latif Owais, who wrote an article evaluating Morocco over the past 10 years. Another blogger, Ahmed Brkuk, from the town of Aymantanot, got into trouble for shooting and posting pictures of the police while they were chasing street peddlers. He was charged with publishing images damaging to Morocco's reputation.

Those were only some of the people recently prosecuted; the total list is very long, panelists said. Some people have been subjected to harassment without a prosecution following, others have been given jail sentences, served with summonses, and received warnings from the authorities.

While panelists found ample documentation of the growing repression of independent media outlets, the public broadcast media's alignment with the government has become more entrenched. Further, some former Channel 1 news managers harassed trade union members, panelists reported. The harassment is a bid to stifle criticism and initiative and to induce unionists to abandon their positions calling for transparency in management and professional performance.

Under the Press Law and criminal code, libel is a criminal offense in Morocco, and the judiciary has demonstrated a willingness to hand out prison sentences. The most serious case in 2009 culminated in Shehtan, of *El Mishal* ("The Torch"), serving a prison term. *El Mishal* has not hesitated to publish stories concerning the royal family's property in Morocco and other controversial subjects, and it has faced several prosecutions as a result, including one on charges of insulting a foreign head of state. That prosecution concerned the paper depicting President Abdelaziz Bouteflika of Algeria in a cartoon—which the panelists did agree was unprofessional.

Panelists felt that that matter might explain the subsequent harsh treatment of Shehtan for publishing a dossier under the title: "Scandals of the King's Aunts" in November of 2008. The issue was focused on the Omahzon family's alleged tyranny

over the city of Khenifra on the basis of its relationship with the royal family through marriage to the late Hassan II. *El Mishaal's* report referred to a number of abuses by the family against Khenifra residents that were ignored by the local authorities. The Omahzon, Mouhi, Ahmho Zayani Association filed a lawsuit against Shehtan and another journalist, Oamari, before the Court of First Instance in Casablanca. The court handed down a suspended sentence of three months' imprisonment, a fine of MAD 5,000 (\$600), and compensatory damages of MAD 250,000 (\$32,000) each.

However, the piece that ultimately led to Shehtan's imprisonment was an article published in September 2009 that questioned the king's health. Following the publication, the public prosecutor for the Court of First Instance in Rabat ordered the Judicial Police to conduct a judicial inquiry into Shehtan and two of his colleagues, who were prosecuted for "spreading false news and facts and incorrect allegations, in bad faith, and participation therein." Shehtan was arrested very shortly after his initial sentencing to one year in prison. The verdict also included fines of MAD 5,000 per journalist, and three months of prison for the other two journalists, Mustafa Hiran and Rachid Mahameed. Shehtan was not released until June 11, 2010, by royal pardon, after serving about eight months of his sentence.

Morocco still lacks legislation to guarantee the right of access to information. In 2009, anti-corruption association Transparency Maroc continued its appeals to fill this gap, with support from UNESCO and the Embassy of the Netherlands in Rabat. The association completed a study comparing Morocco, Algeria, and Tunisia on the issue of corruption.

At the same time, the government continued to develop e-government services without legally obligating public institutions to maintain websites or defining their responsibilities in that regard. In 2006, the government launched a national portal, [www.maroc.ma](http://www.maroc.ma)—which includes sections such as Institutions, Portrait of Morocco, Society and Culture, Practical Information, Invest in Morocco, and Major Projects, together with recent news. Another site, <http://www.service-public.ma>, is supervised by the Ministry of Public Sector Modernization and includes several windows and portals such as administrative and regulatory guides, public websites, references, forms, and advertisements.

On October 21, 2009, the prime minister issued a publication that established an e-government management structure. One branch is a ministerial committee on e-government, headed by the Minister of Industry, Commerce, and New Technologies and tasked with providing guidance and evaluation. A second branch, the supervisory committee, oversees the conduct of e-government practices within

ministries and public institutions on specific projects. A third branch is dedicated to program management.

Bouacharine identified the major problems, in his view, concerning information access. First, traditions and customs make for a culture of secrecy. Some information concerning the king and the royal family can be obtained but not disseminated, he said. For example, *Akhbar Al Youm* found itself in trouble for publishing a list of the king's 76 estates. Creating such a list gave an idea of each estate's needs in terms of cars, trucks, gasoline, etc., as well as began to quantify the taxes and customs duties that are not being paid, as the king is by law exempt from paying taxes.

Disseminating news of that kind can cost dearly. Another example is the case of Hassan Alaoui, journalist and director of *Economie & Entreprises*. He published an article on the fitting out of La Mamounia Hotel in Marrakech, criticizing the absence of any competitive bidding and suggesting that Primarius won the contract because it is owned by the ONA Group (the Royal holding company). Alaoui was prosecuted and sentenced to pay damages in the amount of MAD 6 million (about \$700,000).

There are also certain kinds of information that authorities do not want published in Morocco, even though such information is available from other sources. MAP, the official news agency, publishes Amnesty International reports if they come down against, for example, Algeria—but it leaves out the corresponding adverse reports on Morocco. Furthermore, authorities leak information to some newspapers and not others, so the playing field is not level.

The lack of investigative resources also hampers access to information. Panelists pointed to *The Washington Post* and its two-year investigation on the relationship between the CIA and the security sector in the U.S.; in Morocco, they noted, not one newspaper could undertake any similar investigation, not even for a month.

Al Aouni commented that public radio and television face tighter restrictions on information and discussion than print media, because the broadcast outlets reach many millions of viewers and listeners. He said that he wishes that the radio program he directs, called *Point of View*, could be a platform to discuss hot topics in the printed press—such as religious reform or reports by the Supreme Council of Accounts on financial fraud in public institutions and elsewhere. But no officials would agree to take part in any such discussion, he said.

Regarding restrictions on journalist access to foreign media sources, these sources are generally available and used by Moroccan media, although in a circumspect way when these

reports are about Morocco. However, foreign media have some problems working in Morocco. For example, Hafeez noted that the Ministry of Communications prohibits making recordings outside Rabat on behalf of foreign media without ministry permission—a decision made because of instances of unfavorable coverage broadcast by Al Jazeera.

In terms of entry into the profession, as reported in last year's MSI, becoming a journalist in Morocco is fraught with funding and training challenges. One panelist noted that key positions in public broadcasting are subject to political scrutiny, and called for the Ministry of Communications to issue press cards to allow journalists to attend and cover official events and press conferences. Foreign journalists must obtain accreditation with the Ministry of Communications.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Morocco Objective Score: 1.93

Objective 2 scores fell as well; gains in the 2008 score (2.02) proved unsustainable and the score returned to a score closer to 2006/2007's score (1.85). Panelists attributed the decline in professionalism to the financial poverty of independent newspapers, the growing influence of advertising in public radio and television programming, the predominance of entertainment programming among public broadcasters, and the media's self-censorship in relation to all forms of social protest.

Panelists agreed that the quality of reporting is poor. Alsassi criticized his fellow journalists, especially those in the

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

weeklies, who seemed to want to write major stories—even cover stories—using only the telephone as their tool. As noted in last year's MSI, many radio stations do not comply with certain standards; stations sometimes mix Arabic and French languages, and in some cases, programs descend into triviality and questionable morality. The problems with professionalism extend to the print sector, as well.

Furthermore, ethical traditions are weak. Last year's panelists observed that too many journalists are content to insult, defame, spread false news, and commit libel, and little progress has been made with institutions developing their own codes of ethics—although SNPM has a responsibility to encourage such efforts.

Self-censorship is prevalent, starting from the palace and those close to it down to public radio stations—which have close political ties—to even the more independent print media outlets, where the panelists said they have seen an increase in self-censorship. Still, in general, the panelists believe the independent press are bolder and more reluctant to resort to self-censorship than party newspapers or the public radio and television media. The panelists also described increasing control over the public media channels, which all center on a single editorial line. Advertisers and the owners of powerful businesses dictate the terms of advertising, and programmers must set schedules and make content decisions based on requirements that advertisers set.

In terms of coverage of key events and issues, many issues are taboo for the press. As described above, any article that hints at questioning the monarch or his family is off limits. Yet, positive coverage of the king dominates much of the content on cover pages, and beyond; with his title worked into many headlines. Alsassi underlined the total absence of coverage of labor disputes or social protest of any kind as a black mark against the media. He noted also that Moroccan newspapers did not cover strikes at the principal national telecom company, Maroc Télécom, for fear of losing advertising business.

Regarding wages for journalists, Al Wafi said that a journalist on a monthly salary of MAD 6,000 (about \$700) with family and home commitments could not be independent, and could be put under pressure easily; as a result, either economic or political powers control editorial lines—and the public media are no different in that regard.

Back in 2005, after difficult negotiations, the SNPM trade union for journalists and the Federation of Moroccan Newspaper Publishers signed a collective agreement for professional journalists, setting out guidelines governing labor relations and conditions within the contractual press

sector. Perhaps most significantly, the agreement establishes a minimum wage for professional journalists at MAD 5,800 (about \$675) per month, accounts for seniority, determines annual leave guidelines, emphasizes journalists' right to social coverage and training, and defines journalists' contractual obligations. Despite this precedent, however, most press contracts still are not protected, and many journalists are not even entitled to social security entitlements.

The SNPM 2009–2010 report stated that the system of wages remains opaque, with no defined, negotiated wage scale. On the one hand, some institutions pay new appointees wages that exceed those of their senior colleagues, with no objective justification, and on the other, some journalists are paid barely the national minimum wage—let alone the higher minimum wage stipulated in the collective agreement for the press sector. Some journalists do not receive even the compensation stated in their contracts, which adversely affects their performance.

Some private news organizations claim financial crisis perpetually, asking their journalists to be patient—while income continues to roll in from ample advertising demand, and their managers show no signs of financial distress. The editorial offices of those newspapers also pulled back from granting the annual thirteenth month's wage, which Moroccan workers are entitled to receive at the end of the year, and failed to follow through on promises to adopt a cost-effective payroll system to ensure payment every three months. In general, the print sector has rich newspapers that are able to pay journalists higher wages than poorer newspapers—whose journalists are kept in a state of fear of losing their jobs entirely. In general, French-language newspapers pay better salaries than Arabic-language papers.

In the broadcasting sector, the public radio and television media enjoy better wages and working conditions than private radio stations. The financial status of radio stations is weak, with the exception of Atlantic Radio and MFM, which pay respectable wages in accordance with the collective agreement. Journalists' monthly wages at those two stations range from MAD 6,000 to MAD 12,000 (\$700 to \$1,400). At other stations, wages range between MAD 4,000 (\$465) and MAD 6,000 a month.

According to one panelist, most radio stations follow the requirements of the labor code and ignore the requirements of the collective agreement in the recruitment process. The stations in question are well aware of the requirements of the collective agreement and in particular the provisions relating to remuneration. They are aware also of their requirement to comply with the press law, as stated explicitly in the HACA agreement.

In addition, the press law requires unions to request that HACA ensure that contractors comply with the collective agreement's professional requirements—especially journalist's material rights, working hours, and working conditions. However, HACA has been shirking that task, and the panelists expressed the opinion that unions should demand this monitoring of pluralism and working conditions, whether by HACA or the Ministry of Communication.

Moroccan public television continues to lean heavily toward music and romantic soap operas. Hana Buchal, a broadcast journalist, said that Moroccan channels attach importance to recreational programs only, at the expense of news and information programs. For example, she said, Channel 1 rejected a cultural program made by her company on the grounds that "viewers need recreational programs." The channel told her company that if people want cultural material, they can get it from the Internet.

Reports before the Eighth Conference of the Moroccan Press Association documented a heavy emphasis on music, singing, and entertainment content on Channel 2M, the "Deuxième." 2M is a public channel and thus is required to strike a balance between various types of programs. However, it is noticeably lacking in documentaries, cultural programs, or public service programs, falling short of the awareness, sensitization, and services that the Moroccan citizen expects. Children's and youth programs are dominated by stereotypes, superficiality, and boilerplate models imported from the West—especially from France—in a type of blind imitation far removed from the true educational, social, and cultural environment of Moroccan boys and girls.

Advertising has also come to play a crucial role in television programming. The advertising department imposes the wishes of the advertisers upon programs and threatens to withhold advertising if certain actors are not used—transforming television into a tool of the advertisers.

Regarding the existence of quality niche reporting and programming, Moroccan journalists do cover extensively some topics, such as economics. However, the lack of investigative reporting is a serious area of concern. The panelists' general belief that investigative work is not feasible in Morocco also contributed to the overall sense of gloom regarding Objective 2. Hafeez remarked that investigative journalism is the most difficult kind of journalism, and requires both financial resources and qualified personnel—an extremely rare combination in Morocco. He gave the example of one successful report by his own weekly, *Al Hayat Al Maghrebiya*. The paper conducted a month-long investigation that exposed how a public bank sold its director a luxury apartment seized by the bank when the owner defaulted on

its debts. The director then advertised the apartment for sale in a number of newspapers—and paid off the newspapers to keep quiet about him.

According to Bouacharine, unlike party newspapers the independent press do attempt to carry out significant investigations, and some have played a positive role in changing laws. For example, one investigation revealed that Al Majid, private adviser to the king and one of the masterminds behind his wealth, was able to purchase land at a fraction of its value. Several years later, a law was passed preventing the Ministry of Endowments from selling such land without special permission from the king or from an oversight board. One panelist noted that the law only passed after enough time had elapsed that the state could avoid the appearance of bowing to pressure from the press. As that time passed, the journalists at the center of the investigation had begun to despair, and wondered what the purpose of the investigation had been if it had no effect in the real world.

The panelists pointed to the case of Doha S.A. as an example of how quickly investigative reporting can be shut down. In that case, a large area of land—formerly a zoo in the most important area in Rabat—was sold off cheaply to the Doha company, which is believed to have links to the royal family. Despite the clamor from the press, and although members of parliament demanded the formation of a commission of inquiry, parliament quickly backed down when the chair and general manager of the company appeared with the king as he toured some of the company's projects.

Basher Al Zenaki, a freelance journalist, noted that in a case regarding the Social Security Fund, the press carried out detailed investigations into waste and theft by workers, but the press did not succeed in changing anything. The same was true with several major drug trials.

Still, the panelists remain convinced that investigations are not always futile. Even though journalists are thin on the ground, when cases have broken, sometimes investigations have led to change.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Morocco Objective Score: 1.75

The score for Objective 3 (plurality of news sources) fell also, mainly as a result of the panelists' critique that the official news agency, MAP, is biased in favor of influential forces, and lets nothing slip by that could damage the country's reputation. Furthermore, a number of MAP decisions have played a hand in restricting the plurality of news sources.

The role of the party press has declined significantly since 2000, when an independent press emerged, and especially after the main opposition parties received a share of government and now side with the king. This independent press plays a leading role in exposing corruption and calling for democracy, according to the panelists.

In the radio and television sector, in addition to Channel 2M, there is one regional station, Channel M, in the city of Laayoune in the Sahara region. With the spread of international satellite channels, citizens have expanding options for access to news. Because of poor domestic television programs, Moroccans are turning in droves to Arabic-language and French-language satellite channels. However, most channels transmit only for a limited number of hours and seem to not have high viewership. The panelists noted that since 2006, the policy of liberalizing the sector has not resulted in the emergence of independent channels—or even private channels. Although the state granted Medi 1 Sat a license as a private station in 2007, it converted the station to a public channel in 2009 because of “financial problems.”

The panelists did point to one positive development in terms of plurality of news sources: the continuing expansion in the number of Internet users. According to the national transport regulatory agency, the number of subscribers grew to 757,453 in 2008 from 526,080 in 2007. Citizens are migrating to the Internet as a source of information about Morocco itself and about issues such as corruption that may not receive coverage elsewhere. Unlike other countries in the region, such as

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

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Tunisia, Moroccans face no restrictions online—with the exception of the harassment that bloggers have experienced.

Many families and young people do not use the Internet for information and news, but rather for communication, entertainment, and other services. Families depend on the Internet to stay in contact with their children abroad—a much cheaper alternative to regular phone calls, as Internet access costs only about \$0.50 an hour. Internet cafés equipped with webcams facilitate keeping in contact. Young people communicate with the outside world in search of relationships that might lead to marriage, immigration, or job opportunities.

Also, the Internet is beginning to be used as a means of exposing bribery through the “video sniper” method. An example is an anonymous person posting a video of *gendarmes* taking bribes from drivers to bypass screening of trucks or cars, or turning a blind eye to moving violations.

However, Internet access is still a problem for many, given the high illiteracy rate and poverty in most cities and rural areas, coupled with Morocco’s patchy electricity supply and sparse telephone network. In addition, the international press remain limited in ability to access to the Moroccan market, as they are subject to administrative decisions for both printing and distribution. Printing requires the prime minister’s blessing, while the Minister of Communications is empowered to step in and shut down distribution if he deems a publication damaging to the “constants” of monarchy, territorial integrity, and Islam.

Morocco allows unrestricted entry to the biggest international newspaper and magazine titles, but their price is out of reach for most Moroccans. Of course, the Moroccan prices could come down if they were allowed to by the government, panelists noted, but the prime minister has not ordered such a reduction.

Eighteen foreign news agencies are represented in Morocco. The state news agency is based in Rabat, with 12 regional offices and offices in 18 countries. It puts out news in Arabic, French, English, and Spanish, and Moroccan newspapers receive a discount of 30 percent on MAP’s services. Despite the professionalism of MAP’s staff, it remains subject to the whims of the state, and has become selective in the distribution of some reports, in addition to adjusting others somewhat. Jamal Muhafid, acting director of MAP and a member of SNPM, said that the agency needs to reform to better exemplify neutrality and professionalism. Its board of directors must be a body with representatives from publishers, journalists, and the SNPM trade union, as well as the state. Currently, it is more like a government committee, Muhafid said.

The 2009–2010 trade union report devoted a large section to the question of MAP’s professionalism. The report said that since the appointment of its new director-general, Ali Buserda, in 2009, MAP had entered a deep crisis, represented by a decline in its observance of its public interest responsibilities and its proclivity to make major decisions without any objective study or analysis.

According to the panelists, MAP leaders cast aside agreements forged with the previous administration to develop mechanisms and regulations to address such issues; reneged on the previous administration’s commitments; and went out of its way to cut off labor relations and dialogue, including the contract that had linked the trade union and MAP administration since the beginning of the 1990s. The panelists noted that the contract must not only respect the laws in force in the country, but the even more binding accountability to the Moroccan people, as their taxes fund MAP. The current director-general explicitly and repeatedly “declares war on journalists,” panelists said, and active members of the trade union in particular, as shown by the frequent arbitrary dismissal decisions targeting a number of trade unionists.

There is no transparency of ownership of the private sector print media. Most publications do not disclose their ownership, even though the law stipulates that the owner must manage the larger publications. Banks, insurance companies, and other companies hold shares in many publications, especially French-language media.

As reported in last year’s chapter, there is a movement to encourage and spread the recognition of Amazigh language and culture. (Morocco’s pre-Arab population spoke Amazigh, and it is still used by people who identify themselves as Berber). However, efforts to launch a channel in Amazigh fell apart in 2008, with the Amazigh Network of Citizenship expressing regret that its opponents worked to block the channel.

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## OBJECTIVE 4: BUSINESS MANAGEMENT

### Morocco Objective Score: 1.70

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Objective 4 (business management) scores fell by about two-tenths of a point, primarily a result of chronic funding shortfalls and a lack of transparency in advertising. The panelists scrutinized especially the manner in which the broadcast advertising sector is managed. Panelists also criticized the methods and criteria by which the state distributes public support to the press, and the methods

and criteria used to measure advertising on the two national channels.

Concerning the business management of national television Channel 1, the 2009–2010 SNPM report stated that a crisis of content as well as human resources management lingers from the pre-conversion era. The report found no qualitative improvement, despite the passage of more than four years since the conversion of Moroccan Radio and Television to a national company. Panelists also held the opinion that a disregard for job descriptions has resulted in the appointment of unqualified people to positions of responsibility.

The national broadcasting company obtains its financial support from state subsidies, television viewer license fees (collected indirectly by an additional charge on citizens' electricity bills), and advertising income. In total, the state granted the station MAD 2.5 billion (\$290 million) during 2006–2008.

Al Wafi discussed the effects of the financial crisis on Channel 2M in 2009. He said that a shortage of broadcast advertising, which had dropped by 14 percent—to the benefit of billboard advertising—crippled the station's finances. Buchal explained that as a result of the current crisis, advertising companies had resorted to using billboards as their preferred method of advertising. Also, during 2008–2010, the state ceased funding Channel 2M. The channel enlisted the help of the union council in order to force implementation of a law that would deem Channel 2M a public channel. In exchange for the resultant mandatory funding that would lend it financial stability, Channel 2M agreed to advance public-sector broadcasting. The panelists emphasized that a public service

television channel should not be required to finance itself. In addition, Channel 2M was reputed to be paying taxes and fees to the state amounting to up to MAD 160 million (\$18.6 million) a year.

Al Wafi added that channels based in France or Gulf states with audiences in Morocco eagerly seek Moroccan advertising opportunities. The director-general of the Turkish channel MBC knocked on the doors of various advertising companies in Morocco to offer them 1,500 free monthly advertising slots as a sweetener. He could easily afford to do so because those advertisements would be shown in prime time in Morocco but 2 a.m. in Turkey.

Concerning the financial difficulties that newspapers face, Bouacharine said that the partisan press has been able to rely on party support. Their journalists are paid very modest salaries. The independent press, he noted, does not have such an easy time. The cost of printing and paper has increased, while the cover price of a newspaper has grown by a disproportionately low margin of only 50 centimes (\$0.06) over the last 10 years. Such numbers render it impossible for newspapers to survive on sales alone, and as a result, their client bases are mostly public companies or companies with close ties to the government. Their income from sales is estimated at 30 percent of total revenue at best, leaving newspapers heavily dependent on unregulated advertising. In political terms, an unstable market governs newspaper incomes, and their incomes barely allow them to survive, let alone thrive.

The Office de Justification de la Diffusion (OJD) checks newspaper circulations and has some degree of transparency. Despite the existence of that body, there are indications that advertisers do not act based on sales figures. Advertisers hold all the cards essentially, leading some newspapers to self-censor in order to please their advertisers, therefore making it almost impossible to find any criticism of Maroc Télécom—a major advertiser—in a Moroccan newspaper. For example, Maroc Télécom recently pulled its advertising from some newspapers for publicizing the fact that Maroc Télécom's workers had gone on strike.

Al Zenaki expressed the view that the advertising market has no proper structure; it is disorganized and its actions defy economic logic. Advertisers and advertising agencies delay payments and create cash-flow and budgeting problems for the newspapers. About a dozen known institutions receive the bulk of advertising, and the panelists described cartel-like secret agreements, with the principals meeting in secret to decide which outlets to promote and which to destroy. Panelists estimate that the advertising market is worth only about MAD 2 billion (\$233 million), with MAD 1.5

**INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.**

**BUSINESS MANAGEMENT INDICATORS:**

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

billion (\$175 million) going to radio and television and the remaining MAD 0.5 billion (\$58 million), a rather low amount, going to the printed press.

The 2009 panelists voiced the same criticisms leveled by the 2008 panelists regarding government support and how it is distributed. In essence, support goes to party newspapers officially. In 2006, regular government support began with government subsidies to 50 newspapers in the amount of MAD 43 million (\$5 million). The distribution followed a set of agreements and charters agreed upon in the National Forum of the Press between the government (represented by the Ministry of Communications), the Moroccan National Press Union, and the Federation of Moroccan Newspaper Publishers. The program aimed to support journalism financially, enable journalism socially and professionally, modernize the press, and facilitate legal assistance through tax breaks and bank loan guarantees. The program intended to draw on public support in the form of financial loans to fund modernization programs, necessary expenses (paper, telephones, Internet access, etc.), and newspaper distribution abroad.

To take advantage of the subsidy, a newspaper must be legally sound; its column space devoted to advertising should not exceed half; it must employ a minimum number of journalists, and sign an agreement with its journalists guaranteeing their basic rights; it must publish its accounting records annually; and it must display its circulation in every issue. Despite the apparent clarity of these terms, however, the application process is far from easy. Since 2007, the Ministry of Communication, responsible for publishing circulation figures, has refused to publish detailed figures for the subsidy program and refused to publish even an annual report on the print media, radio, and television. Transparency has decreased markedly since 2005, when the Ministry last published a detailed account of the subsidies granted each newspaper.

Al Zenaki expressed his view that given the current situation, government subsidies are a good idea considering that media organizations have had to defray high costs. The expenses of daily newspapers can be as high as MAD 80 million (\$3.5 million) a month before taxes. However, political party newspapers do not face the same hurdles. For example, a political party that owns a newspaper and has strong ties to a ministry would not find its newspaper subject to the same magnitude of costs and taxes.

A closed circle of committees controlled by the Ministry of Communications and its public relations division make decisions on subsidies, then forward the recommendations to the institutional division that generates the funds, and in the

case of the print media, sets up matching obligations from foreign donors (such as France or Spain). Given the current conditions, strong newspapers benefit from the subsidy more than poor newspapers.

Bouacharine identified three problems in relation to the subsidies: first, the total subsidy of MAD 50 million or so is very small, given the large number of newspapers; second, the way the Ministry of Communications distributes the subsidies had little to do with any identifiable standard or norms; and third, a newspaper such as *La Gazette du Maroc* has to be thriving for at least two years before it is even eligible for subsidy—and by then, it no longer needs the subsidy. Another defect in the state subsidy system is that certain official newspapers and groups close to the state, such as the French *Le Sahara Marocain*, the Maroc Soir Group, and the Assabah Group receive subsidies, while displaying content and op/ed pages toeing the official line and giving priority to official activities and news about the king and the royal family.

Muhafid noted the lack of any independent body that can adjust the decisions of the Ministry of Communications and the Federation of Moroccan Newspaper Publishers. Journalism associations have no opportunities to participate in the process.

Hafeez added that government financial support for the print press expired in 2009, and the agreement needs to be renewed, but the renewal has been delayed pending the findings of a Ministry of Communications study of the fund. The study was initiated to answer criticism that the rules and objectives are not respected and funds are distributed unfairly.

For the printed press, OJD verifies newspaper circulation figures and provides up-to-date circulation figures, with assistance from the French OJD Group. According to the panelists, OJD is recognized as a reliable source of circulation statistics and has legitimized the circulation statistics of distribution companies such as Sochepress (Société Chérifienne de Distribution et de Presse) and Sapress (Société Arabo-africaine de Distribution) Group, which, as last year's MSI noted, advertisers depend upon for information.

The Interprofessional Center for Audience Ratings, an umbrella organization created in 2006 to measure radio and television, includes the national broadcaster, Channel SM, advertising agency Régie 3, the Moroccan Advertisers Group, the Union of Telecommunications Consultants, and Marocmétrie (regarded as the most important participant,

panelists said). According to Bouacharine, the ratings service led by Marocm trie, which had been established primarily by national television channels Channel 1 and Channel 2M, was not asked by those channels to provide ratings for other channels, such as the MBC Moroccan channels. Some journalists remain skeptical about the credibility of the ratings for public television, and see such ratings as a pure formality in order to show high audience figures and protect some programming interests of those channels.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Morocco Objective Score: 1.98

The perception that most political parties are losing their commitment to the concept of an independent press, combined with poor solidarity among journalists and low trade union awareness, led to lower scores for Objective 5 (supporting institutions). Although this objective typically performs the best, in this year's assessment it took a hit of about a third of a point.

The decline may be attributable to a combination of factors. Bouacharine pointed to weakening solidarity among political parties against press freedom and free speech, as the violations primarily affect the independent press—which is also the most critical of the political parties and their performance within the government. Furthermore, some previously independent newspapers joined in attacking the independent press, and helped justify repressions against the independent papers. Finally, the credibility of the SNPM trade union suffers from the continuing monopoly of party newspaper representatives within the organization;

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

the union's weak leadership; and the fact that many new journalists are indifferent or fearful about getting involved in union work, given their uncertain and fragile status.

The Federation of Moroccan Newspaper Publishers represents the interests of newspaper owners and operates as a publishers' union. As noted in the 2008 MSI, the federation helped establish a body to verify newspaper circulation figures, voiced complaints about the lack of rationalization and transparency in the commercial market, and decried the difficulty of obtaining government advertisers. The federation has also stepped up to fight press-related prison sentences. Some members of the publishers' federation also belong to SNPM, the major trade union.

SNPM is the only union in which all Moroccan journalists participate. As its 2009–2010 report suggests, it grasps the negative trends in the media—in particular the threats to the independent press—and works to raise awareness of these problems. However, this year's panelists expressed concern that SNPM is not standing up for journalists' rights to the degree that it should, at a time when independent journalists feel very threatened. Al Aouni said that the decline in independence is serious—and worse, is happening with the complicity of the profession, as in the case of the *Journal du Soir*. In his view, the lack of support from within the journalistic community is the most alarming aspect of this case. In many instances, publishers knowingly connive to suppress journalists, according to Al Aouni, and the SNPM sometimes turns a blind eye.

Al Aouni noted that the ongoing war on the freedom of the media prompted the creation of his association, the Modern Organization for the Freedom of Expression and the Media, in 2009. The organization is an alternative open to professors, journalists, artists, and the general public, in keeping with its view that the freedom of information is important for society as a whole, not just journalists. He emphasized that it does not regard itself as a competitor to SNPM.

Al Aouni said that part of the journalism associations' weak reactions could be explained by a number of factors: apathy among journalists, and the reality that some are not union-minded; the mix of publishers and journalists in the same union—with the publishers considering themselves journalists, although they are also employers with substantial power over journalists; and lastly, a serious problem within SNPM's leadership—which has alternated between the Socialist Union of People's Forces and Istiqlal since inception. As a result, partisan issues are reflected and fought out within the association, as well.

Alsassi expressed the view that it is paradoxical for the bulk of SNPM's leaders to be journalists representing party newspapers with declining sales. In his view, representatives of the independent press with the highest sales should lead the union. However, he said, sadly SNPM had become a closed shop. Bouacharine said that when he held office in the union, he had tried to open it up, but a large number of government employees eligible to elect in the governing body are delegated by the union's chapters in a number of cities. Often, they are not even journalists but educators operating in party blocs, getting involved and turning up to vote. Everything is arranged in advance, he charged, to maintain the dominance of the parties in the press union.

Despite their shortcomings, SNPM and the Federation of Moroccan Newspaper Publishers remain the most important communications link with the authorities to raise concerns about press-related legislation, garner support for the press or other matters of professional interest, and advise on the technical aspects that also affect distributors and publishers.

The panelists agreed, however, that supportive institutions remain constant despite the current turbulence. Human rights organizations, the union of journalists, and some lawyers remain committed to defending press freedoms and journalists' freedoms and rights. In addition, many international organizations, such as the Committee to Protect Journalists, Human Rights Watch, and Reporters Without Borders, bolster the Moroccan media.

Other establishments supporting the press, such as printers and distributors, are managed in economic terms as businesses—yet they are not immune to pressures from political authorities. For example, the major distribution company, Sapress—formerly owned by a group of political parties—has been turned over to the state. Independent newspapers took this as an ominous warning of what their future may hold. Since the 2007 arrest of the director of publication and journalists of *El Watan El An*, the Ministry of the Interior convened a meeting with the owners of publishing houses and threatened them with consequences if they did not monitor the content they set in type—particularly in matters relating to security and terrorism, and anything to do with the monarchy. As article 67 of the 2002 Press Law defines publishers' criminal responsibility, these threats from the ministry are tantamount to re-imposing pre-publication censorship, which Morocco ended officially in 1977.

Currently, Morocco has two major printing houses: Maroc Soir and Ecomédia's Ecoprint. Hafeez noted that the police destroyed issues of *TelQuel* and *Nichane* because authorities

were aware of their content before they went on sale. The newspapers send their content to the printing houses over the Internet in HTML format, with the source code also going to the relevant authorities. They can analyze the content of any issue and intervene before printing, if they deem it warranted.

## List of Panel Participants

**Mohamed Sassi**, professor of law, Mohammed V University, Rabat

**Mohammad Hafeez**, managing editor and director, *Al Hayat Al Maghrebiya*, Casablanca

**Muhammad al Awny**, journalist, National Radio and Television Broadcasting Company; chairman, Modern Organization for Freedom of Expression and the Media, Rabat

**Mohamed al Wafi**, journalist and chairman of employee union, Channel 2M, Casablanca

**Mohammed al Aknow**, blogger; member, Association of Moroccan Bloggers, Agadir

**Taoufiq Bouacharine**, publishing director, *Akhbar Al Youm Al Maghrebiya*, Rabat

**Mariam Alteji**, blogger; member, Association of Moroccan Bloggers, Rabat

**Jamal Muhafid**, acting director, Maghreb Arab Press Agency; member, National Trade Union of the Moroccan Press, Rabat

**Hana Buchal**, journalist, private media production firm, Casablanca

**Basher al Zenaki**, freelance journalist, Casablanca

## Moderator and Author

**Abdelaziz Nouaydi**, lawyer and professor, Rabat Bar Association, Rabat

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*Despite having advanced technological infrastructure, authorities have limited the Internet's emancipatory potential by blocking websites and using an array of legal maneuvers to intimidate and punish online publishers.*



TUNISIA

On October 25 President Zine El Abidine Ben Ali was re-elected to his fifth term in office by 90 percent of the population in an election decried by media and human-rights organizations. The elections were the first in which officials of other political parties could run for the top office, albeit with strict candidacy requirements. Ben Ali also said the share of opposition seats would increase from 20 to 25 percent. However, the Progressive Democratic Party was blocked from competing in several districts, prompting it to call for a boycott of the elections and the withdrawal of the leading opposition candidate.

Authorities cracked down on the press, radio and television stations, and Internet publishing in the lead-up to the elections, prompting condemnation from several rights groups. Ben Ali warned that the law would be “brought to bear on anyone casting accusations or doubts on the integrity of the electoral process without solid evidence.” After the president and his Rassemblement Constitutionnel Démocratique<sup>1</sup> (RCD) party swept the elections, he sought to diffuse accusations of electoral improprieties by accusing a “tiny minority” of Tunisians of treason. National and foreign media were harassed, intimidated, imprisoned, abducted, and prohibited from publishing, even as an array of economic and regulatory conditions continue to hamper freedom of expression and the development of an independent media system. The state-run media parroted his take on the elections and sought to discredit critics by accusing them of assisting foreign journalists and outsiders. Observers, including the 20-member Tunisia Monitoring Group, the International Center for Journalists, and the Observatoire pour la Liberté de la Presse, l’Édition et la Création<sup>2</sup> (OLPEC), say the human-rights condition in the country has worsened since the landslide election.

The mainstream press toes the party line, and authorities regularly block access to alternate news sources. Despite having advanced technological infrastructure, authorities have limited the Internet’s emancipatory potential by blocking websites and using an array of legal maneuvers to intimidate and punish online publishers. However, individual news organizations and journalists persist with admirable efforts to circumvent restrictions and take their work online.

Tunisia’s plans to apply to the European Union next year for “advanced partner status,” which would boost its international standing and provide trade benefits, is dependent on progress in democracy, rule of law, and justice. Concerned organizations have noted the continuing lack of freedom of expression and media freedom as obstacles to this process. This year’s MSI scores reveal that Tunisian media continue to work in an “unsustainable, anti-free-press environment,” and that it is worse than last year.

*Due to the repressive environment in Tunisia, IREX did not organize a panel discussion within Tunisia. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Tunisia. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of media in Tunisia.*

<sup>1</sup> Constitutional Democratic Rally

<sup>2</sup> Observatory for the Freedom of the Press, Publishing, and Creation

# TUNISIA AT A GLANCE

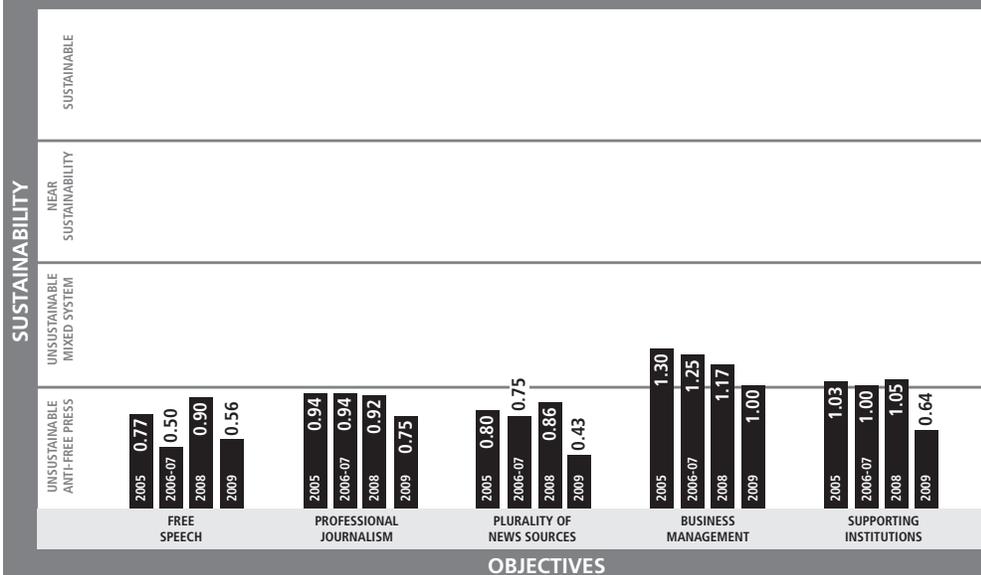
## GENERAL

- > **Population:** 10,589,025 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Tunis
- > **Ethnic groups (% of population):** Arab 98%, European 1%, Jewish and other 1% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 98%, Christian 1%, Jewish and other 1% (*CIA World Factbook*)
- > **Languages:** Arabic (official and one of the languages of commerce), French (commerce) (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$38.84 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$7,810 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 74.3% (male 83.4%, female 65.3%) (2004 census, *CIA World Factbook*)
- > **President or top authority:** President Zine el Abidine Ben Ali (since November 7, 1987)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 22 daily papers; Radio: 4 main stations; Television: 3 main stations (2 state, 1 private)
- > **Newspaper circulation statistics:** Top circulating newspapers include *Al-Chourouk* (private, 110,000 circulation), *L'Action* (state-owned, 50,000), *Al Amal* (state-owned, 50,000), *Assabah* (private, 50,000)
- > **Broadcast ratings:** Top 3 television stations: Tunis7 (state-owned), Tunisie21 (state-owned), Hannibal (private). Top 3 radio stations: Zitouna (religious), MFM (private), Radio Jeunes (state-owned).
- > **News agencies:** Agence Tunis Afrique Presse (state-owned)
- > **Annual advertising revenue in media sector:** \$82.2 million (2006 figures, SIGMA).
- > **Internet usage:** 2.7-2.8 million (Internet World Stats July 2009 est., World Development Indicators).

### MEDIA SUSTAINABILITY INDEX: TUNISIA



#### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

#### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

#### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

#### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Tunisia Objective Score: 0.56

The marked decline in press freedom since last year's report reflects the continuing atmosphere of repression and retaliation in a country that has consistently ranked among the worst offenders of human rights in countless reports over the past 20 years. Freedom House gave Tunisia its lowest score of seven on political freedoms and five on civil freedoms in its annual report on freedom in the world. According to the Committee to Protect Journalists (CPJ), Tunisia (along with Morocco) has jailed more journalists since 2002 than any other Arab country. At least two journalists remained imprisoned by year's end: Zouheir Makhoul and Taoufik Ben Brik. Tunisian media are largely under state control or influence, and journalists who criticize the government or report on corruption or human-rights abuses face harassment, intimidation, and imprisonment.

Although the constitution guarantees the right to freedom of expression and despite Tunisia's ratification of several international rights treaties, there are few legal or social protections for free speech. Those that exist do so in name only, without enforcement. Article 8 of Tunisia's constitution guarantees freedom of the press, opinion, expression, and publication. Article 5 and 7 both provide exceptions to granted freedoms in the interest of maintaining "public order."

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Presidential Decree 501 of 1997 gives the communications minister the right "to monitor compliance with the terms and use of services through authorized assistants at any time and by any available means."*

A battery of laws further contradicts these rights. Authorities use laws ranging from the publication laws to the penal code, the electoral law to the postal code to muzzle and intimidate journalists.

The 80-article Press Code of 1975 (and updated in 2006) gives the government wide authority to control, prosecute, and license the press but does not impose any legal restrictions on what topics the media may address. It grants the government wide-ranging authority to punish journalists and publications for "dissemination of false information," disturbing or threatening public order, criticizing the president, "abuse and slander" of public officials, and defamation. Articles 63 and 73, for example, prohibit the publishing of legal documents. In January, the latter garnered El Hiwar TV reporter Fahem Boukadous a six-year jail term for his coverage of the 2008 Gafsa strikes in which he allegedly published testimony of a detainee interrogation. Article 73 came under fire from the national syndicate in January because authorities abuse it by giving too wide a scope in determining what constitutes "breach of public order."

Article 49 similarly prohibits "publishing false news liable to disrupt public order" and was used to imprison journalists and others for writing or posting articles the government deems unfavorable. In 2009, this law was used against people who posted articles online in private forums, like Facebook. In July, academic and rights activist Khediya Arfaoui was sentenced to eight months in prison for reposting an article about kidnapping and organ smuggling on her Facebook profile, according to OLPEC. Article 86 of the Telecommunications Code makes it a crime to disturb others—vague language that is used to snare journalists whose coverage the government dislikes.

The Anti-Terrorism Law, law 75, is also used to restrain freedom of expression. It includes sections that make it a crime to use symbols, pictures, or slogans about a person or organization related to terrorism or to call for a demonstration or meeting or writing articles as terrorist actions, according to the Arabic Network for Human Rights Information (ANHRI). On May 14, ICT student and online writer Mariam Zouaghi became the first woman to be

*The denial of publishing and broadcasting licenses has turned several journalists to the Internet as an alternative, unregulated medium, though such a move can provoke retribution by the authorities.*

convicted under the 2003 law for her online activities and was sentenced to six years in prison.

Tunisian electoral law further restricts the constitutional right to free speech during specific times. "The law prohibits individuals from discussing national politics on foreign radio or television channels during the two weeks prior to national elections, with up to a TND 25,000 (\$20,800) fine per offense," according to the State Department. On October 10, on the eve of the election kickoff, the opposition party Ettajdid's weekly *al Tariq al-Jadid* was confiscated at the printing company. It carried the party's manifesto, and although no papers had been distributed it was accused of "violating electoral law," according to reports. "The campaign is being carried more in foreign media than in Tunisian media, given that most of them belong to the regime and the others support it," Hatem Chaabouni, the party's head of information, told RSF.

In addition to overt censorship and harassment, the government has created a culture of surveillance and monitoring that has a chilling effect on freedom of expression. Presidential Decree 501 of 1997 gives the communications minister the right "to monitor compliance with the terms and use of services through authorized assistants at any time and by any available means." It also makes Internet users liable for accessing "dangerous sites" and imposes long prison sentences, according to ANHRI.

The government has been exceptionally aggressive in pursuing Internet publishers and targeting media online. Despite promises of wider access to news and information, the Internet has been particularly and aggressively targeted by the Tunisian government. "Site blocking, piracy, and vandalism represent a systematic policy in Tunisia," according to a 2009 report by ANHRI. Political opposition websites have become a primary target of hackers. "This new phenomenon of defacing opposition and dissident websites emerged first in Tunisia... and seems to be spreading across the region as a result of the attempt to muzzle free speech both online and offline," according to OLPEC.

People who speak with foreign journalists are often subject to questioning by security forces, according to the State Department, making reporting difficult for foreign

correspondents. Furthermore, Internet service providers are required to submit IP addresses and other identifying information to the government on a regular basis. All Internet traffic flows through a central network, allowing the government to filter content and monitor e-mails.

Journalists who travel abroad to cover events or participate in conferences deemed critical by the authorities are often harassed or assaulted at the airport or prevented from leaving in the first place. In one such case, *Assahafa* journalist Ziad el Heni was strip-searched at the airport and his publications seized after he took part in an international journalism conference. On September 26, Hamma Hammami, spokesperson of the banned Tunisian Workers' Communist Party, was beaten at the Tunis airport upon his return from France, where he had given critical interviews about the presidential elections to satellite channels Al Jazeera, Mubashir, and France 24.

Kalima editor and journalist Naziha Réjiba, who according to CPJ is one of the regime's most virulent critics and cofounder of OLPEC, was harassed at the airport upon returning from the United States, where she had received CPJ's annual award. "My country's international airport—as some may not know—has become the scene of the Tunisian regime's score-settling with its opponents. Opponents are no longer banned from traveling; this is a move to promote the idea that they are 'free.' However, if they do travel, they face difficulties at the airport, port, or border crossing in question," she wrote. Her home and phone line were also put under surveillance, and she endured repeated police interrogations.

The National Frequencies Agency (NFA), part of the Ministry of Communications Technologies, licenses private broadcasters. The license applications are evaluated according to undisclosed guidelines, and many applicants never receive a response, according to CPJ. Tunisia is one of only three other Arab states that permit private ownership of terrestrial stations, according to Arab Advisors Group. But it has licensed only two television and four radio stations, all of which, according to CPJ, "are owned by business interests close to the regime" and are barred from broadcasting any political news other than government news bulletins. Authorities "control the registration of print media and licensing of broadcasters, refusing permission to critical outlets," CPJ continued.

The denial of publishing and broadcasting licenses has turned several journalists to the Internet as an alternative, unregulated medium, though such a move can provoke retribution by the authorities. The online news organization Kalima, for example, has applied for a print and broadcast license at least five times. Its website is censored in Tunisia, and its journalists, who are among the staunchest and most

outspoken government critics, were methodically targeted by the authorities throughout the year. In January, Kalima started a private radio station and argued it was not required to obtain a license in Tunisia since it broadcasts primarily from Italy, according to the news site Menasset.com. But it almost immediately came under siege by police officers.

On January 27, police surrounded its building and attacked its journalists. Authorities raided and sealed off the office, confiscated materials, and arrested its journalists. Director Omar Mestiri was attacked by a police officer with a knife while another journalist, Dhafer Otay, was detained several hours without charge and warned not to resume work, according to OLPEC. Journalist Faten Hamdi was also arrested and interrogated about the station's editorial policy. In March, Mestiri was prosecuted for defamation under the Press Code, and on November 17 the Syndicat National des Journalistes Tunisiens<sup>3</sup> (SNJT) reported that Mestiri was attacked and abducted in broad daylight by unknown assailants.

Internet licensing also became an issue in November when ICANN, the international organization that registers domain names, announced that it would process names in non-Latin scripts, including Arabic, but that registration was limited to official government domains. Rights groups expressed concern that this could increase censorship and online "ghettoization" among sites in Arabic, the fastest-growing language online. "It's likely that Tunisia... will strictly limit which sites can be registered in their domain," Jillian York, the project coordinator of the OpenNet Initiative at Harvard University, told *The Times*.

Crimes against journalists and media outlets were a common occurrence in 2009, especially in the run-up to the presidential election. A government crackdown on the media helped ensure the incumbent president won again, his second term since pushing through a controversial constitutional amendment that allowed him to run after completing the three-term maximum. There were dozens of cases of beatings, abductions, interrogations, and other abuses against journalists in addition to prosecutions against media outlets and journalists for a variety of alleged offenses.

Taoufik Ben Brik, a freelancer for various European media and prominent critic of the president, was sentenced to six months in prison following his October 29 arrest on "trumped-up" assault charges, according to several accounts. His arrest followed the publication of critical articles in the French press about Ben Ali's re-election that, according to the Tunisia Monitoring Group, prompted angry reactions in state-run newspapers. In October, Ziad el Heni was physically assaulted, and his blog, *Tunisian Journalist*, was shut down

<sup>3</sup> National Union of Tunisian Journalists

for the 22nd time, according to the International Federation of Journalists (IFJ), which condemned the attack as the latest in "a series of incidents which suggest deliberate targeting of activists for independent journalism."

Outright violence against journalists actually increased after the election as Ben Ali attempted to ensure the legitimacy of his victory was not questioned. On October 28, freelance journalist and *Al Arabya* newspaper correspondent Slim Boukhdhir was assaulted and abducted by unidentified men and then dumped naked in a park, according to several accounts. Just days later, security forces barricaded his house for four days. *Al Arabiya* television correspondent Moudi Zoubi, who also writes for the London-based *al Quds al Arabi*, was harassed by unknown intruders who attempted to break into his house and was subsequently followed by the police for several days following the late-October incident, according to the Euro-Mediterranean Human Rights Network.

Public officials regularly interfere in editorial and publishing decisions, and state media have no expectation, legal or otherwise, of independence from the politicians in power. The official press and most broadcast outlets are government-owned, and the structure of the media system along with economic incentives gives them an advantage over non-official, opposition, and independent media. For example, the state broadcasters enjoy a dearth of competition thanks to the NFA's stingy licensing regime.

Libel and slander are criminal offenses that can result in fines and imprisonment. Article 51 of the Press Code imposes prison sentences of one to three years and/or fines of up to TND 1200 (\$900). On November 2, for example, Tunisian blogger Fatma Riahi, who blogs online as Arabicca, was detained without access to her lawyer and faced criminal libel charges for allegedly using a pseudonym to publish critical cartoons on another blog, according to rights activist and journalist Sami Ben Gharbia.

There is no right to information in Tunisia, and journalists suffer from a lack of access to public information. Therefore, there is no tradition of investigative journalism.

Use of foreign news by Tunisian journalists is restricted to information that either has nothing to do with Tunisia or else is entirely uncritical of Tunisia. Disseminating foreign news stories that show Tunisia or its government in a critical light are likely to result in prosecution. Further, Tunisian media suffer from the same access to foreign news problems that all citizens do; this is described in Objective 3, below.

Entry into the journalism profession is free, but the government requires that all journalists, domestic and foreign, be accredited. Journalists receive a card that identifies them as journalists, allows them entrance to

*Entertainment thus dominates broadcast programming since it poses little risk and garners high ratings. Entertainment like sports, music videos, reality television, and games accounts for about 70 percent of television and radio programming.*

press conferences and access to the limited information the government makes available, and entitles them to special benefits, like subsidized transportation on public railways and bus systems. Independent, unregistered journalists who attempt to cover controversial events like protests, strikes, or even workshops are routinely targeted by police and authorities. On October 20, for example, Kalima founder Sihem Bensedrine was assaulted by plain-clothes security agents as she was on her way to a workshop analyzing media coverage during elections.

**OBJECTIVE 2: PROFESSIONAL JOURNALISM**  
**Tunisia Objective Score: 0.75**

Journalism in Tunisia lacks any tradition of objectivity and independence. Tunisian journalists resoundingly decry the lack of professionalism in their field and identify it as one of the major obstacles to facilitating the free flow of information. “[P]rofessionalism in journalism remains the single biggest challenge in North Africa,” Ridha Najar, director of the Tunis-based Centre Africain de Perfectionnement des Journalistes et Communicateurs,<sup>4</sup> was quoted as saying. Reproducing articles from international wire services, online new sites, and satellite channels without attribution is common among journalists, as there are few moral constraints and even fewer legal ones to discourage plagiarism.

Furthermore, prohibitions against publishing “false news”—as determined by the government—and bans on offending the president or disturbing the public means that many stories lack balance while certain types of stories simply are not covered.

Although ethical and professional guidelines exist, such as binding standards promulgated by the SNJT, the penalties for noncompliance are “symbolic,” according to last year’s MSI. There is no “wall” between the editorial and business

<sup>4</sup> African Center for the Improvement of Journalists and Communicators

sides, with economic decisions influencing coverage as well as journalists accepting gifts or outright payment in exchange for articles. As last year’s MSI noted, media organizations often avoid hiring permanent employees, and even those journalists who do have full-time employment are underpaid and receive no health coverage, meaning practices such as accepting gifts are often means to make ends meet.

The lack of professionalism and dominance of government perspective was made clear in the “smear campaign” that Reporters Without Borders (known by its French acronym RSF) and the International Freedom of Expression Exchange (IFEX) accused the government of launching against Al Jazeera in the months leading up to the elections. A barrage of attacks by official media on the Qatar-based satellite channel included articles in the government-run newspapers *La Presse* and *Al Hurriya* as well as *Al Hadath* and verbal attacks on its journalists on a Hannibal TV talk show. RSF said the chief goal of the smear campaign appeared to be to limit Al Jazeera’s ability to broadcast critical information about Tunisia nationally and internationally. Starting in July, “state-controlled media outlets have been maligning Al Jazeera” and Qatar’s ruling family “as part of its ongoing strategy to silence dissent in order to ensure a fifth term” for the president, according to IFEX. *Le Monde* also came under fire for its critical coverage, and one of its journalists, Florence Beaugé, was detained at the airport before being deported to France in advance of the elections.

Journalism is paralyzed by self-censorship because journalists are afraid of losing their jobs, being harassed by government agents, or worse. Furthermore, the overreliance on freelancers means many journalists are particularly at risk and therefore reluctant to put their livelihood at

**JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.**

- PROFESSIONAL JOURNALISM INDICATORS:**
- > Reporting is fair, objective, and well sourced.
  - > Journalists follow recognized and accepted ethical standards.
  - > Journalists and editors do not practice self-censorship.
  - > Journalists cover key events and issues.
  - > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
  - > Entertainment programming does not eclipse news and information programming.
  - > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
  - > Quality niche reporting and programming exists (investigative, economics/business, local, political).

stake by covering contentious stories. According to the State Department's annual human-rights report on Tunisia, "the government restricted press freedom and severely intimidated journalists, editors, and publishers into practicing self-censorship." Journalist Faten Ghanmi told *Magharebia* that self-censorship had become as destructive to the industry as state-sponsored censorship. "Transparency in the field of journalism requires avoiding censorship, especially the self-imposed censorship that the authorities impose in an indirect way," he said.

As a result, media often do not cover key events or important issues, especially in the political realm. Coverage of political opposition, civil society, and even societal issues like pollution or corruption are for the most part ignored by the mainstream press or filtered through a pro-government lens. On October 20, for example, human-rights activist Zouheir Makhoulf was charged with "harming and disturbing others through the public communication network" because of a video about pollution in an industrial city that he published on the news site Assabil Online. Thus, in the independent press, especially online new sites, human rights, civil society, and oppositional politics make up a disproportionate amount of coverage as journalists seek to fill the hole left by the mainstream media.

Salaries for media professionals are generally low, and the many freelancers particularly suffer from poor working conditions. Poor salaries, as noted above, often leave journalists forced to accept gifts in exchange for coverage. Last year's MSI quoted one panelist as saying that business and financial articles are often "more advertising than journalistic material."

On television, only news stories supportive of the government's political stance on national and international issues are likely to be aired, according to Jalila Kara, news and sports coordinator of the Arab States Broadcasting Union. The few government critics are forced to turn to low-circulation opposition weeklies, foreign publications, or the Internet. Entertainment thus dominates broadcast programming since it poses little risk and garners high ratings. Entertainment like sports, music videos, reality television, and games accounts for about 70 percent of television and radio programming.

As opposed to the poor salaries mentioned above, the equipment the media use for producing and gathering news is relatively modern and efficient.

As reported last year, there is niche reporting, but it is limited to issues that do not threaten the authorities. True investigative reporting is rare due to a lack of information and the legal penalties faced for conducting it and publishing it.

## OBJECTIVE 3: PLURALITY OF NEWS

### Tunisia Objective Score: 0.43

A plurality of affordable public and private news sources (e.g., print, broadcast, community, Internet) exists, although the content tends to be relatively homogeneous because of governmental dominance in the media: much of what it does not control outright it can exert influence over.

The state-run Tunisian Radio and Television Establishment operates Tunis 7 and Tunis 21 television stations along with five national radio stations, five regional radio stations, and two short-wave stations. The government also sponsors an official website, [www.tunisie.com](http://www.tunisie.com).

The NFA has only licensed two private television stations—Nessma, which launched this year, and Hannibal TV, which launched in 2008—and three national radio broadcasters (Mosaique, Jawhara, and Zeitouna Radio Station for the Holy Koran). NFA also licensed the privately owned Sousse-based regional El Jawhara Radio. According to CPJ, all of the licensed stations are owned by pro-regime business interests.

Tunisiamedia.com lists 256 newspapers and magazines published in the country and claims that 90 percent are privately owned, in addition to dozens of niche and specialty publications. However, there are only a handful of daily newspapers with significant circulation as well as a few major weeklies, nearly all of which are published in Tunis and none of which belong to the opposition. According to Advamag, there are 22 daily newspapers with an aggregate circulation

## MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*Much of the nonofficial press is affiliated with opposition political parties, and the public view these as mouthpieces of the party, used to promote their causes rather than to cover the news.*

of 375,000, including the leading daily *Al Charouk*, a privately owned Arabic newspaper with a circulation of 110,000. The RCD's French daily *L'Action* and its Arabic counterpart *Al Amal* along with *Assabah* come in distant seconds with a circulation of 50,000 each, according to Advamag's Press Review. "Most of the Arabic-language dailies published in Tunis (*El Horria*, *Essahafa*, and *Assabah*) are the translated versions of French-language newspapers (*Le Renouveau*, *La Presse*, and *Le Temps*) and are owned by them," according to the Tunisia Press Review. Most major newspapers have online versions, and online content is increasingly affecting print circulation numbers.

Much of the nonofficial press is affiliated with opposition political parties, and the public view these as mouthpieces of the party, used to promote their causes rather than to cover the news. There are seven opposition-party papers, including *Mouatinoun*, affiliated with the Democratic Forum for Labor and Liberties, which was founded 2007. Critical independent and opposition newspapers like *Le Maghreb*, *Badil*, *Al-Rai* and the Islamist weekly *Al-Fajr* face harassment, intimidation, or even closure in addition to a harsh economic environment and together have a circulation of about 30,000 copies weekly, according to various reports. Several of these have been shut down completely or forced to close under government pressure, according to CPJ.

There are also more than 210 national periodicals with a total circulation of 900,000, according to Tunisiamedia.com, as well as at least 32 niche publications, such as magazines for children, mothers, trade associations, and cinema.

Independent news organizations and journalists, largely working online, tend to disproportionately focus on human rights-related news and are anti-regime. A few independent publishers have attempted to circumvent the restrictive regulatory and legal obstacles to providing objective, pluralistic news.

Citizens by and large have access to domestic and foreign media via newspapers, magazines, and satellite television. State television and radio broadcasts have a market penetration rate of 99 percent, reaching "virtually all" of the population, and the government oversees the distribution of more than 700 foreign publications in the country, according

to the government-related site Tunisiamedia.com. However, access to controversial sources, particularly those online, is more restricted.

The government uses a range of filtering and blocking techniques to restrict access to a number of sites based on how "dangerous" authorities consider their content to be, according to ANHRI. According to a survey by OpenNet Initiative, Tunisia broadly filters online content, "extensively" filtering political content as well as material deemed to be inappropriate according to religious, cultural, or social norms. In September, for example, the Tunisian Education Investor website was blocked immediately after posting a link to a book about the lack of freedom in the country. As Richard Eisendorf of Freedom House noted, there is a joke in Tunisia that the most popular website in the country is "This page cannot be displayed."

Dozens of Internet sites that published opinion pieces on human rights, democracy, and governance, including tunisnew.net, nawaat.org, and Reporters Sans Frontieres, were blocked by authorities in 2009. Tunisian bloggers launched the White Blog campaign in July to demand online freedom. Rights activists Salah Eddin al-Jurchi and Mohamed al-Kumani similarly called on the president to end online censorship in an open letter they hoped would have the same effect as a request for Ben Ali's personal intervention the year before in allowing access to Facebook.

However, this year the Tunisian government was particularly focused on managing and monitoring social networking sites like Facebook, audio-visual sites like YouTube, and other social media sites that facilitate sharing information online or via mobile phone. In August, the government blocked access to Facebook for more than 10 days, sparking outrage and a public outcry that finally forced the government to reverse the ban. "The Ben Ali regime perceive Facebook and other social networks as high-security risks because ideas could emerge out of government control," according to Global Journalist.org. According to the article, there were at least 30,000 Facebook subscribers in Tunisia, with another 70,000 expected to join by mid-year. "Internet users suffer even more than politicians and reporters if they happen to be ordinary citizens with no protection or immunity from legal proceedings," according to ANHRI.

Journalists at the online news portal Nawaat.org fought back against government censorship and blocking of websites, especially YouTube, creating a new form of activism Global Voices labeled "geo bombing." YouTube and DailyMotion were blocked in an attempt to prevent Tunisians from watching videos about human-rights offenses and civil liberties. But activists used the tagging function in Google Earth to link locations on the Tunisian map to several video

testimonies by political prisoners and rights activists. “Now, as you fly over the Tunisian presidential palace on Google Earth you will see it covered with the very same videos about civil liberties which Ben Ali was trying to prevent Tunisian Netizens from watching,” according to Global Voices.

International newspapers and satellite channels are widely available in Tunisia, although specific issues may be confiscated if they contain criticism of the president. For example, on January 31, authorities impounded an issue of *al Tariq al Jadid* after it published an article about police questioning its opposition leader, according to IFJ. “Human-rights activists accused the government of using the postal code, with its broad and undefined prohibition against mail that threatens the public order, to interfere with their correspondence and interrupt the delivery of foreign publications,” according to the State Department.

Satellite channels are widely available and prohibitively expensive to block, so authorities target individual correspondents like Al Jazeera’s Lofti Hajji or Ayman Arrezki, a journalist with El Hiwar Al Tounoussi TV. In February, the latter was arrested for covering an Ettajadid seminar, as were three of his colleagues who were detained because of their “work for an illegal station,” according to OLPEC.

The partisanship of the state media and its failure to reflect the views of the entire political spectrum was made starkly clear during election season. The state media failed to serve the public interest and instead served that of the ruling party and the president, according to numerous observers, who decried the government’s manipulation of state media. Priority in coverage was given to the RCD, and Ben Ali claimed the extra air time he was given was because of his role as president, not as candidate. “An example of this is how the RCD advertisements and campaign messages dominate prime-time slots on local radio and TV stations, while opposition parties are often cut short or shifted to alternative time slots,” according to a post-election analysis on Polity.org.

The national news agency, Tunis-Africa Press (TAP), provides the official government line on most international and national news published in the mainstream press. The broadcast media are similarly dependent on the presidential broadcast unit. According to a journalist at TAP, the agency primarily covers government activity with little coverage of opposition parties. “The agency takes a pro-government stance in its coverage without becoming a propaganda organ,” Hedi Zaouchi told a researcher. Several major international media outlets have bureaus in Tunisia, including Al Jazeera, CNN, *Le Monde*, and others.

*Much of the nonofficial press is affiliated with opposition political parties, and the public view these as mouthpieces of the party, used to promote their causes rather than to cover the news.*

None of the handful of radio or television outlets licensed by the NFA in its near-decade of existence is permitted to broadcast political news other than bulletins provided by the government-run news agency.

Most newspapers and broadcasts use Arabic and/or French, though there are some English-language media available. The minority Amazigh (Berber) language, however, is entirely absent, as last year’s MSI noted.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Tunisia Objective Score: 1.00

The worldwide financial crisis also hit the Tunisian media with rising newsprint costs and declining advertising budgets. But they were relatively more insulated because of government subsidies, while companies were less likely to have been involved with the mortgage-backed securities and other risky economic instruments than their Western counterparts. Tunisia continues to have one of the best economies in the region.

Independent media face economic obstacles in addition to legal and professional ones. Advertisers tend to shy away from advertising in critical or controversial media. Critical media suffer economically when, for example, newspapers are confiscated and websites are blocked. *Al-Mawkif*, the Progressive Democratic Party’s newspaper, has been blacklisted by advertisers, according to CPJ. *Mouatinoun*’s director (and party head) Mustafa Ben Jaafar told CPJ that public companies refuse to advertise in his paper.

Consolidation and the mixing of business and political interests also continue to be significant issues. The leading publishing house, Dar al Sabah, which publishes the influential daily *Al Sabah*, was an established, family-owned media company until May, when it was sold to pro-government businessman Fahed Sakher al Materi in a move decried by journalists and media-freedom watchers. The 29-year-old, who is married to President Ali’s daughter, heads a huge business conglomerate with widespread interests in Tunisia and is thought to have spearheaded a move toward more religious programming in the country. Shortly before the takeover was announced,

*The leading publishing house, Dar al Sabah, which publishes the influential daily Al Sabah, was an established, family-owned media company until May, when it was sold to pro-government businessman Fahed Sakher al Materi in a move decried by journalists and media-freedom watchers.*

Materi said he was planning to start a new religious satellite station called Zeytoun al Deeniya, according to *Al Wasat al Tunisiya*. The *Al Sabah* newspaper had never engaged in the smear campaigns common among official media, according to the Arab Reform Initiative, but “the change in editorial policy was immediate: the daily *Al Sabah*, the flagship of the company, now more than ever looks like a tool of disinformation in the regime’s hands.”

The president’s wife, Leila Trabelsi, has also led takeovers by her family of other industries, including banks, air and car transport, real estate, and private education, according to the book *La régente de Carthage* by two French reporters. Trabelsi’s request in French court to enjoin the book and withdraw all copies because they contained “some passages that are defamatory and others that are injurious” was denied.

The Arab world has one of the lowest rates of advertising per capita at \$30 to \$50, compared with an average of \$500 in the West, and Tunisia is no exception. SIGMA predicted 10 to 12 percent growth in the advertising market during 2009 despite

**INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.**

**BUSINESS MANAGEMENT INDICATORS:**

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

a global decline, in line with its annual growth rate for the past few years. SIGMA attributed the growth to the planned licensing of a new 2G/3G telecom license, improved offerings by several television stations, as well as the relative immunity of certain advertising sectors like banking, insurance, and consumer products from the global economic crisis.

Television advertising represents nearly 50 percent of all advertising investment, although it is relatively lower in Tunisia than in Morocco, for example. The strength of television advertising was facilitated by the expansion of stations and their content offerings. The privately owned Hannibal TV expanded to two channels, Tunisia 21 strengthened its offerings, and Tunisia 7 invested in private production and sold content produced by Cactus Production, while Nessma TV programs resumed in March. The Annual Business, Economic, and Political Review predicts television will remain the most popular form of advertising in Tunisia and continue to earn the lion’s share of revenues in the coming years. Tunisia’s terrestrial television advertising rates in 2009 were some of the highest in the region, according to Arab Advisors Group. Local companies accounted for 31 percent of advertising time, a larger percentage than in other countries in the Maghreb, according to the Annual Business, Economic, and Political Review.

The processed-food industry, including Danone and Coca-Cola, had the biggest presence in television advertising, and six of the top-10 highest-spending companies are from the processed-food industry, which tends to focus on radio and television advertising, especially Hannibal TV. Despite television’s popularity, however, the major telecoms focused the bulk of their advertising on radio and print. The Internet accounts for a tiny portion of the advertising pie, but its popularity increased over the year and analysts believe it will play a more important role in advertising mixes. Advertising firms are increasingly pitching Internet advertising as an economical medium for reaching audiences, especially during a tough financial year. However, metrics for measuring audiences are lacking, and pricing schemes are relatively unsophisticated.

North Africa had the highest average advertising rates during peak hours in 2009, compared with the Levant and Gulf regions, according to the Arab Advisors Group. According to the latest available data by the media market research group SIGMA, Tunisia’s advertising revenue for 2006 amounted to \$82.2 million, a 12-percent increase over 2005. Of that total, \$34.7 million went for television, \$21 million for the printed press, and \$7.5 million for radio. Ten of the top companies operating in Tunisia spent approximately \$18 million in advertising.

Since the state controls the distribution of government subsidies and public-sector advertising, it wields an economic weapon over the media. The government subsidizes newsprint for party-affiliated newspapers and provides grants. Newspapers of opposition parties that hold seats in parliament receive government subsidies by law. According to the State Department, five of the seven opposition-party newspapers received subsidies. The Progressive Democratic Party's daily *Mouatinoun* and *Al Mawtif*, affiliated with the Democratic Forum for Labor and Liberties party, for example, receive about TND 90,000 Tunisian dinars (\$75,000) annually, according to CPJ. Officially sanctioned papers receive "lucrative advertising from government agencies and public-owned companies, and are politically tame as a result," according to CPJ.

The Tunisian External Communication Agency is responsible for distributing advertising from government agencies and publicly owned companies, which make up a significant bulk of advertising dollars. But its lack of transparency in allocating advertising monies and its tendency to punish outspoken newspapers by withholding advertising creates an even more difficult economic environment for struggling independent media. Furthermore, "private advertisers typically follow suit when the government pulls advertising," according to CPJ.

Several firms conduct market research in Tunisia, but because of the lack of independent, audited reporting mechanisms media outlets self-report circulation and ratings, making accurate accounting and audience research challenging. Four firms produce audience surveys and market research: SIGMA Conseil, MediaScan, MedNews, and Tunisiemétrie, which is owned by France's Metric Line and its Tunisian partner Prodata. According to SIGMA, Tunisian television channels have 46 percent of the audience, Pan-Arab satellite television 45 percent, and French television channels four percent. Other organizations engaging in this work include the National Council for Liberties in Tunisia, the Union of the Free Writers, and OLPEC. These three are active in advocacy despite various methods of repression that targets their leadership.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

**Tunisia Objective Score: 0.64**

The SNJT was created in early 2008 to serve as the professional organization for journalists in Tunisia and replace the discredited Association for Tunisian Journalists. Its aim was to improve journalists' working conditions and defend their rights.

*In December, 20 leading journalists and intellectuals created the National Committee for the Defense of Freedom of Expression and the Press in Tunisia with the aim of promoting press freedom and independence in a rebuke to government interference in the official syndicate.*

In January, 150 media professionals went on strike to demand better contracts and social security. According to IFJ, SNJT said the Tunisian Radio and Television Establishment agreed to normalize relations with 420 of its employees. Perhaps seeing this success as an opportunity, in May SNJT published a report critical of press freedom and the working conditions faced by journalists in the country, prompting harsh attacks on its leadership. Four of its nine executive bureau members resigned, triggering a special election over the summer. The result was that a group of journalists working for pro-government news media seized control of the union leadership. In September, the new leadership was legally recognized, and a month later, on October 20, the new board publicly declared its support for Ben Ali's re-election.

Several NGOs exist that support the media profession, but many are unregistered. In December, 20 leading journalists and intellectuals created the National Committee for the Defense of Freedom of Expression and the Press in Tunisia with the aim of promoting press freedom and independence in a rebuke to government interference in the official syndicate. It is not officially recognized, and its members,

### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

#### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

including journalists that are a part of OLPEC and the Tunisia Monitoring Group, have been subject to harassment and abuse. OLPEC is the leading press freedom NGO and works on the national and international level, as a member of IFEX, to promote freedom of the press in traditional and online media and advocate for journalist safety.

According to a study published in the Global Media Journal, Tunisia has the most comprehensive and well-developed journalism training program in the Maghreb region. The Ministry of Education and Sciences determines admission to the Institut de Presse et des Sciences de l'Information<sup>5</sup> at Tunis University, one of the country's oldest print and broadcast degree programs, which also offers short-term training.

The Arab States Broadcasting Union is headquartered in Tunis, although the training program is located in Damascus.

The government funds continuing education for journalists at the Centre Africain de Perfectionnement des Journalistes et Communicateurs through a special tax on press enterprises and contributions from international donors, including the United States, France, the UN, and the Arab Broadcasting Union.

However, private companies dominate in journalism and communication training, claiming to offer more "practical" instruction, but they are expensive and the trainers are usually professionals who lack educational or training experience. According to a UNESCO report about media training, Tunisia's journalism field, like many of its Middle Eastern neighbors, "inherits cohorts of journalists with training that is dubious, incomplete, and highly deficient in professionalism and, consequently, in ethics and ethical behavior." The gap in appropriate training is caused by educators either being recruited from the professional ranks without adequate experience teaching, or recruited based solely on their degrees but without adequate professional experience. The UNESCO study noted that even at Tunisia's "oldest and most renowned institutions...you can count on your fingers the professors who also have solid media experience." This situation creates a divide between public institutions and the media sector, and between journalism instructors and their professional counterparts.

Printing facilities are neither overtly political nor restricted, but authorities interfered several times in the printing and distribution of licensed newspapers. For example, *Magharebia* reported in November that three opposition parties claimed they were not allowed to pick up their newspapers from the printing houses, which were therefore forced to give the editions directly to the distribution companies, a move the

editors said made it easier to tamper with or surreptitiously confiscate the copies. *Mouatinoun's* director Mustafa Ben Jaafar told CPJ that "newspaper vendors hide his paper in their kiosks." Earlier this year, new government-mandated distribution rules prompted three Tunisian opposition parties to stop publishing for a week.

The telecom industry was open to private ownership in 2003, and the national Tunisie Telecom has been partially privatized, with a second fixed-line operator planned for 2009 or 2010. The country has one of the most developed telecommunications infrastructures in the relatively affluent North African region, boasting a nationwide fiber-optic backbone and international access via submarine cables. With fixed-line teledensity of more than 12 percent, two mobile-phone operators, and several 3G systems in trials, Tunisia has been at the forefront of African telecom development, according to the Tunisia Telecoms Report.

Tunisia has some of the continent's highest market penetration rates, with growth of more than 2,700 percent since 2000, likely due to its having some of the lowest broadband prices in the region. According to World Internet States, the country had 2.8 million Internet users, a 26.7 percent penetration rate that is one of the highest in Africa, and represented a 100-percent increase from 2008. The number of ADSL connections also doubled in a year to 153,000 connections in 2008, according to the Annual Business, Economic, and Political Review.

There are 12 ISPs. Two of these, Global Net and Plant, are managed by Ben Ali's daughters, and all are owned by influential players, according to ANHRI. These companies monitor Internet traffic, and users experienced unexplained service interruptions but had little recourse because of what ANHRI described as a monopoly situation. Furthermore, the ownership structure makes ISPs even more susceptible to government intervention, including blocking IP addresses, websites, and even entire categories of content. It ranks among CPJ's top-10 "Enemies of the Internet" and achieves some of the worst scores in Internet freedom by a variety of organizations.

## List of Panel Participants

*Due to the repressive environment in Tunisia, IREX did not organize a panel discussion within Tunisia. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Tunisia. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of media in Tunisia.*

<sup>5</sup> Institute for Media and Information Sciences



**LEVANT**

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*Because the people have little voice in almost all official radio and television stations and papers (except for Al Arab Al Yawm, generally considered Jordan's only independent daily), they tend to turn to sometimes unruly and defamatory websites as their major source of information.*



JORDAN

On one level, this Middle Eastern kingdom appears to score high points when considering media freedom. But on the ground, the authorities maintain their hold over the official and semi-official media. Furthermore, although Jordan's media climate experienced no dramatic change in 2009, the government began to show signs of nerves over the expanding influence of online media and other private media outlets. The mushrooming websites, blogs and private FM radios—which tend to critique the government more boldly than traditional media—have not escaped the authorities' attention.

While many websites lack professionalism and ethical standards, MSI panelists said, the traditional media have turned into monotonous mouthpieces of the authorities. Because the people have little voice in almost all official radio and television stations and papers (except for *Al Arab Al Yawm*, generally considered Jordan's only independent daily), they tend to turn to sometimes unruly and defamatory websites as their major source of information. In 2010, the government responded by introducing a tough law on Internet and electronic news. Instead of giving more freedom to the traditional media, the government seems bent on quieting online media outlets.

The eighth annual survey conducted by the Center for Defending Freedom of Journalists in 2009 explored the developing role of online and new media in Jordan, along with developments surrounding a professional code of ethics and efforts to influence journalists, and the effects of a new code of conduct set by the government. Overall, the survey revealed a dampening of the optimism of recent years that accompanied royal directives in support of media freedoms—such as the king's assurances that the practice of detaining journalists would be banned. Yet journalists still face this risk under the penal code, and they continue to endure other forms of pressure, both overt and subtle, that impede their work.

# JORDAN AT A GLANCE

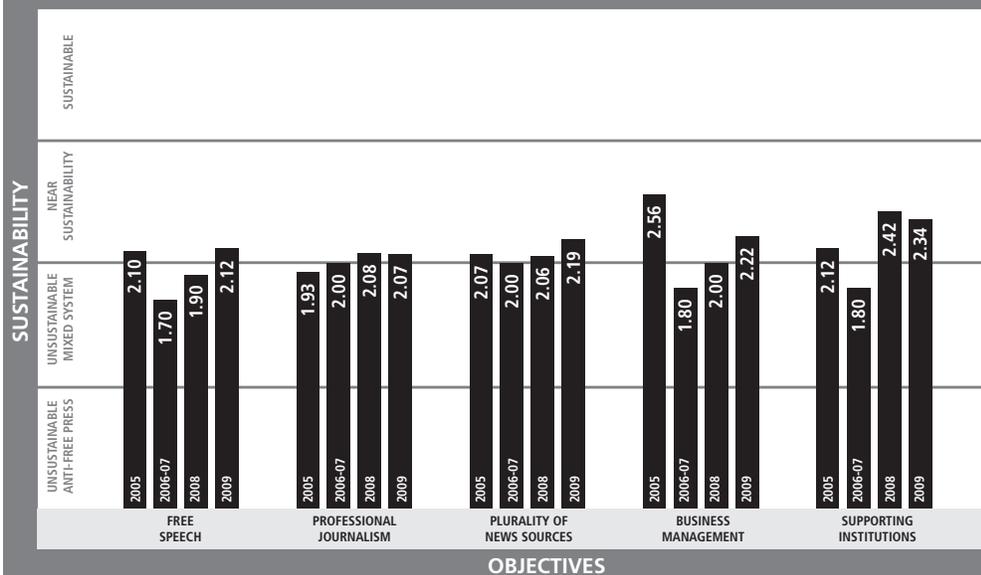
## GENERAL

- > **Population:** 6,407,085 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Amman
- > **Ethnic groups (% of population):** Arab 98%, Circassian 1%, Armenian 1% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 92%, Christian 6% (majority Greek Orthodox, but some Greek and Roman Catholics, Syrian Orthodox, Coptic Orthodox, Armenian Orthodox, and Protestant denominations), other 2% (several small Shia Muslim and Druze populations) (2001 est., *CIA World Factbook*)
- > **Languages:** Arabic (official), English widely understood among upper and middle classes (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$23,66 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$5,730 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 89.9% (male: 95.1%, female: 84.7% (2003 est., *CIA World Factbook*)
- > **President or top authority:** King Abdallah II (since February 7, 1999)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 7 Arabic daily newspapers, 1 English daily newspaper, 25 weekly, 10 magazines; Radio Stations: 22; Television Stations: 1 public and 3 private
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al Rai* (50,000); *Al Ghad* (45,000-50,000), *Ad-Dustour* (30,000)
- > **Broadcast ratings:** N/A
- > **News agencies:** Jordan News Agency/PETRA
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1.64 million (2008 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: JORDAN



#### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

#### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

#### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

#### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Jordan Objective Score: 2.12

The Jordanian constitution guarantees freedom of speech and the press. Article 15 of the constitution states: "The state shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, provided that such does not violate the law."

But this right has yet to be translated into balanced supporting laws, the MSI panelists said. According to Salameh Daraawi, a leading columnist and head of the economic department at *Al Arab Al Yawm*, laws exist, but they are not enforced—and official entities exercise indirect over control media in the kingdom. Walid Hosni, a veteran editor at *Al Arab Al Yawm*, echoed Daraawi's view.

Twenty-four statutes regulate the media in Jordan, chief among them the Press and Publication Law and the Penal Code. In 2007, amendments to the Press and Publications Law eliminated imprisonment as a punishment for violations. The amendments, however, replaced imprisonment with heavy fines up to \$40,000. Although the king's declaration that "no journalist should be imprisoned" helped improve immunity for journalists, they still face the risk of detention under the Penal Code: provisions in the Penal Code still allow authorities to detain, prosecute, and imprison journalists for publishing material that damages national unity, harms Jordan's

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*According to Bader Agha, a presenter at Rotana radio, the preferential treatment for public media is obvious regarding radio stations in terms of advertising shares, clean radio frequencies, and tax obligations.*

relations with other states, instigates sectarianism or racism, insults religions, or undermines confidence in the national currency. Revealing information classified as a state secret is similarly punishable.

Thus, the panelists agreed that the Penal Code still restricts the freedom of speech, albeit indirectly. They argued that the authorities might cite any of the 24 media laws as a pretext to detain any journalist. Furthermore, additional restrictive measures might be on the way. The Lower House of Parliament, whose relations with the media soured in 2009 to the brink of confrontation, accused the media of damaging the image of the Lower House of Parliament in the public eye and drafted a law designed to control the news websites. The House was dissolved at the end of 2009, but the newly elected body (elected in November, 2010) has joined ranks with the government in plans to introduce further restrictive measures against the media, according to recent remarks by legislators and officials.

The panelists also underlined concerns about the lack of an independent regulator, noting that media cases end up in civil or military courts. They urged instead for the creation of an independent specialized commission to regulate the flow of news from at least 150 websites and newspapers across the country.

According to Freedom House, all publications in Jordan must obtain a license, and the Audiovisual Commission (AVC) is tasked with licensing and regulating private radio and television stations. AVC granted a license to ATV, set to be Jordan's first private television station, in 2007, but it pulled the license. As of the end of 2009, ATV had not yet aired, Freedom House reported. Freedom House also noted that in 2009, AVC rejected license applications from 13 private radio stations, and that journalists perceive favoritism against private outlets in the licensing process.<sup>1</sup>

As for physical attacks or brutality against journalists, panelists consider them very rare in Jordan. However, intimidation, harassment, and detentions of journalists

<sup>1</sup> *Freedom of the Press 2010*. Freedom House, p. 147. <http://www.freedomhouse.org/uploads/pfs/371.pdf>

continue, with a growing number of journalists reporting exposure to pressure, according to the Center for Defending Freedom survey.

The most common form of pressure journalists report is the withholding of information, followed by canceling news and articles for unprofessional reasons, threats, and preventing satellite channels from broadcasting. One percent of journalists surveyed reported assaults.<sup>2</sup> The Committee to Protect Journalists reported one such attack in early January: riot police attacked journalists from Al Jazeera, beating them with their batons, and Yassir Abu Hilala, the bureau chief, required stitches.<sup>3</sup> The journalists were covering a demonstration in Amman against Israeli military operations in the Gaza Strip.

In terms of detentions, the Center for Defending Freedom of Journalists survey reported that eight journalists were detained briefly in 2009. While just a slight increase from 2008, this contradicted the directives of King Abdullah II against the detention of journalists.<sup>4</sup>

The panelists agreed that the law does not grant preferential treatment to public media, radio and television stations, as well as the Jordan National News Agency (Petra). But in practice, they believe that state-owned media do receive preferential treatment, and editorial independence at these media outlets is compromised.

According to Bader Agha, a presenter at Rotana radio, the preferential treatment for public media is obvious regarding radio stations in terms of advertising shares, clean radio frequencies, and tax obligations. Haitham Shibli, manager of Farah Ennas (another private FM radio station) said that although his radio is exempt from paying taxes, as it is owned by an NGO (The Jordanian Hashemite Fund for Development), other commercial radios pay taxes.

In 2009, the government adopted a code of conduct streamlining the government-media relationship to secure more independence for the latter. The government endorsed the code in December 2010, and pledged not to interfere with the job of the press and to end practices that seek to win over the loyalty of journalists and media outlets. Under the charter, "the government is not supposed to appoint any journalist or media employee to any public position," including as a spokesperson or media consultant, or pay temporary or permanent allowances for journalistic services.

A few "blessed" journalists, however, continued to have such privileges by virtue of their proximity to the authorities. Saleh Gallab, for example, was appointed chairman of the Television and Radio Board of Directors, without giving away his op-ed corner in *Al-Rai*, the widest circulation daily.

In terms of libel laws, as noted above, the Press and Publications Law still does not bar imprisonment of a journalist found guilty of certain violations, including any form of defamation, vilification, or abuse of any religion protected under the constitution. (Islam is the state religion, and around four percent of Jordanians are Christians with full religious rights.) The second article includes any "defamation of prophets, whether in writings, illustrations, pictures, symbolism, or any other means." Any action that represents an insult to people's religious sentiment or beliefs, or instigates sectarianism or racism is the third violation, and the fourth covers slander or libel against individuals or their personal freedoms, as well as spreading false information or rumors about them. Needless to say, these articles are ambiguous and magistrates might interpret the content as they want.

In one libel case in 2009, prominent writer and columnist Khalid Mahadin was sued for contempt of the Lower House of Parliament after publishing an article on a local electronic newspaper. In his article, "For God's Sake, Abdullah," published on Khaberni.com in February 2009, the 63-year-old writer urged King Abdullah to dissolve the parliament, criticizing the performance of the Lower House and what he called "unlawful privileges given to deputies." Mahadin was detained during the court proceedings, but cleared of charges of slandering the Lower House of Parliament, which was dissolved in November 2009.

Panelists feel that not all journalists or media outlets have the same access to public information. Despite the introduction of an access-to-information law, the authorities still cite a 1971 martial law on state secrets, which bans the dissemination of any news deemed "classified and/or harmful to the state." Furthermore, panelists noted, media close to or owned by the government receive preferential access to breaking stories and information. In Hosni's view, the Access to Information Law restricts, rather than enhances, access to information. In a bid to improve their ability to access information, reporters launched a campaign under the title "*Faze'tko*" ("Support Us"), which received the backing of civil society institutions across the country. The barriers, however, were not eliminated.

<sup>2</sup> Center for Defending the Freedom of Journalists, "Media Freedom Status in Jordan, 2009," p.22 <http://www.cdfj.org/look/PDFs/Media%20Freedom%20Status%20in%20Jordan%202009%20EN.pdf>

<sup>3</sup> "Riot Police Assault Al-Jazeera Crew in Jordan." Committee to Protect Journalists, February 2, 2009. Available at: <http://cpj.org/2009/02/riot-police-assault-al-jazeera-crew-in-jordan.php>

<sup>4</sup> Center for Defending the Freedom of Journalists, *IBID*, p.14-15

Freedom House noted that although all citizens have the right to access information, and complain to the Information Council if a request is denied, there were no registered complaints in 2009.<sup>5</sup>

The local papers are not specifically restricted from reprinting and/or using foreign news sources in preparing their news reports. According to Hosni, however, journalists reprinting an article from foreign media might court trouble depending on its content. Still, Jordan's media outlets enjoy relatively open access to various regional and international news sources, including tickers of almost all international news agencies as well as websites, Facebook, YouTube, and other electronic sources.

Entry into the journalism profession is unhindered in most cases, except that joining the Jordanian Press Association (JPA) can be restrictive—despite some recent efforts to open up membership. Under the Press Association Law, media outlets are barred from hiring journalists who are not members of JPA, and people may not refer to themselves as journalists unless they belong to JPA. But this condition is ignored in many cases, the panelists added.

In 2010, the JPA Council proposed new amendments to the Association's law. Under the amendments, journalism graduates who wish to become JPA members must at least hold a college diploma, while non-journalism students should have a BA degree; a previous clause allowing *Tawjihi* (secondary school) graduates to join the JPA was canceled. The draft also opened membership to employees in the audiovisual media, both in the public and private sectors, and online media personnel, provided they specialize in news reporting and journalism. JPA President Abdul Wahab Zgheilat told the Jordan News Agency, Petra, that the amendments are meant to expand the JPA membership base and ensure higher-quality journalism by setting minimum academic qualifications. "The new amendments are designed to keep pace with developments in the media sector and expand the umbrella of the JPA to include workers in radio and television news departments, as well as address all gaps in the current law," he said. Under the amendments, Jordanian journalists working abroad will be able to become JPA members, in addition to journalism graduates who do not work in the media sector. In addition, the JPA's share from advertising revenues in public and private media institutions was increased from one percent to two percent. Finally, the amendments suggest that JPA members, instead of the ten-member Council, elect the deputy president in post-elections meetings.

<sup>5</sup> Freedom House, *Ibid*, p. 148.

Raed Awwad, Al Jazeera online correspondent in Amman, noted that no restrictions are imposed on journalists, but foreign correspondents are expected to obtain a license from the authorities to shoot video or take photos in the streets.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Jordan Objective Score: 2.07

MSI panelists agreed that reporting in Jordan still lacks professionalism and is heavily biased, especially when it comes to sourcing and accuracy. They feel that the prevalence of low professional standards is due to the government's influence, backward academic teachings, and the absence of continuous in-house training.

"No one criticizes an outlet for its bad product, or commends another for its skillful reporting," Omar Assaf, a senior editor with *Al Rai* daily and the Amman correspondent for the Lebanese daily *Annahar*, said, adding that this contributes to the overall weakness of the media in Jordan. Ironically, he added, a professionally run newspaper, such as *Al Arab Al Yawm*, has more limited readership than other papers that lack professionalism, such as *Al Rai*.

Panelists also agreed that the large number of existing media outlets and news websites lowers professionalism, as many of those working in some outlets are not journalists. Others practice poor forms of journalism, working for local "yellow" weeklies, which flourished in the 1990s, or tabloid style papers.

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

*“No one criticizes an outlet for its bad product, or commends another for its skillful reporting,” Omar Assaf, a senior editor with Al Rai daily and the Amman correspondent for the Lebanese daily Annahar, said, adding that this contributes to the overall weakness of the media in Jordan.*

To address concerns about journalistic ethics, the JPA introduced a code of ethics in 2003, prohibiting journalists from accepting presents, financial or material gifts, or any aid of any kind without previous approval of its council. “Still, not all journalists abide by the code of ethics,” said Hani Hazaimah, a senior reporter at *The Jordan Times* English daily.

The 2009 Center for Defending Freedom of Journalists survey revealed that 21 percent of journalists polled admitted that they have been subjected to bribery attempts, while 57 percent said they heard about journalists who were subjected to such attempts. According to the survey’s authors, “The poll revealed that journalists believe that some negative phenomena, such as accepting gifts, blackmailing to obtain financial gains, accepting bribes, writing paid news and reports, in addition to favoritism/nepotism (*wasta*) are present.”<sup>6</sup>

The Center for Defending Freedom of Journalists survey findings also agreed that self-censorship is nearly universal among journalists: 94 percent of the polled journalists responded that they exercise self-censorship—treading especially carefully with any topic related to religion or national security.<sup>7</sup> The panelists believe that estimate sounds accurate, given their experience.

Key events relating to the state and the king are covered in concert by all public and private media, according to panelists. But issues such as prisoners’ abuse, public unrest and human rights remain absent in pro-government media outlets, such as radio and television. Other outlets, such as *Al-Rai* and *Addustour*, downplay the anti-government criticism, in favor of illogical pro-government praise.

Concerning salary scales, the panelists feel that low wages are partly responsible for the ethical lapses seen in the press; Hosni said that journalists in Jordan are paid next to nothing, which sets some of them on a path to corruption.

<sup>6</sup> Center for Defending Freedom of Journalists, *Ibid*, p.13

<sup>7</sup> Center for Defending the Freedom of Journalists, *Ibid*, p.17.

As for equipment and facilities, even state-owned media institutions are equipped with the latest technology, but they do not provide training to the employees, according to majority panelists. The purchase of state-of-the-art equipment does not improve the state of the media without real investment in human resources, they argued. Hosni, however, pointed out that not all media institutions own the latest technology.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Jordan Objective Score: 2.19

Panelists concluded that the majority of Jordanian citizens have access to international, regional, and local news resources, including regional Arab news networks such as the Doha-based Al Jazeera and the Saudi-funded Dubai-based Al Arabiya, as well as western news outlets such as BBC and CNN. Unfiltered Internet also provides Jordanians with a pluralistic media banquet, and bloggers and websites have become the main source of news for information-hungry young Jordanians. Much of the news is exaggerated, panelists said, but the majority of Jordanians with access to the Internet trust the news websites more than traditional local media.

There are seven daily Arabic newspapers and one English daily newspaper in Jordan—including *Al Sabeel*, published by the Islamic Action Front Party, which joined the scene in 2009, adding new opposition color to the media spectrum. According to Assaf, there are more than 140 local news

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

websites across Jordan. "Although these websites essentially copy the same news, they are able to reach more viewers and readers than the print media," he explained.

In Amman over the past two years, private websites and blogs ballooned. The 2009 Jordan Media Survey (conducted by the USAID-funded Jordan Media Strengthening Program, in conjunction with IREX) revealed that over half of Jordanian Internet users rely on news websites. Independent news websites like Ammonnews.net, Sarraynews.com, Marayanews, and Rum Online attract a large number of Jordanians. Many people post comments on these sites, which often turn into lively platforms for debate. Mohammad Hawamdeh, co-founder of Khaberni.com, attributes high readership for the news websites to this interactivity. "Readers have the ability to comment on the news and express their opinions, unlike the state print media," he noted.

But the comments from readers sometimes stir heated debates on the Internet, especially when ethnicity comes into play, pitting native Jordanians against their compatriots of Palestinian origin. The authorities generally rely on website publishers to filter incoming comments. In 2010, the government also adopted a Cyber Crimes Law, which restricts the freedom of speech on the Internet. The law stirred opposition by website owners, which prompted the government to cancel one of its most controversial articles—Article 8. This article stipulated that "anyone who intentionally sends or disseminates data or information via the Internet or any information system that involves defamation, contempt, or slander of any person shall be fined an amount not less than JOD 100 (\$142) and not exceeding JOD 2,000 (\$2,831)."

Overall, however, panelists agreed that access to media outlets is not obstructed for most Jordanians. Newspapers are distributed across Jordan, including rural areas, and are sold at slightly more than \$.35 each. Pan-Arab papers such as *Al-Hayat*, *Al Sharq Al Awsat*, and *Al Quds Al Arabi* are also sold in Jordan at nearly \$.50 per issue. Other foreign publications also exist, but their audience is limited to English-speaking Jordanians, and their high price tags remain a barrier. But, Hosni pointed out that not all Jordanians have access to news websites, as the Internet penetration in villages and remote areas is far lower than in Amman. He explained that they resort to satellite channels as the main source of information.

The government does monitor activity, however, and in 2010, the government blocked access to a total of 40 websites, including local news websites, from public sector Internet service, claiming that public servants waste hours surfing these sites and neglecting their duties in service of the public's interest. For the most part, the government does not

*Mohammad Hawamdeh, co-founder of Khaberni.com, attributes high readership for the news websites to this interactivity. "Readers have the ability to comment on the news and express their opinions, unlike the state print media," he noted.*

restrict Internet use outside the workplace, except the New York-based *Arab Times*, run by Osama Fawzi—according to panelists, it continues to be the only blocked news website in the kingdom.

As noted in last year's MSI, the only news agency in Jordan is the government-run Petra. Although there are no Jordanian independent news agencies, international news agencies are permitted to operate freely in Jordan.

Regarding coverage of social issues, last year's MSI pointed to some progress in recent years. For example, journalists now cover previously taboo issues such as honor killings, the sexual abuse of children, and domestic violence. Minority issues (religion and ethnic subjects), however, are neglected; panelists noted that there have been no applications to start media focused on minority issues or any minority group (Christians, Circasians, Chechens, etc.). However, private clubs run by those minorities issue periodicals covering their special activities.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Jordan Objective Score: 2.22

Although Jordanian media outlets are relatively efficient, profit-minded businesses, they still face a number of challenges to sustainability. Among these challenges are the tax and custom fees imposed on newsprint. There is a 16 percent tax on advertising sales, in addition to the one percent paid to the Jordan Press Association out of advertising revenues, and one percent paid to support the Culture Fund affiliated with the Ministry of Culture. In 2008, the parliament endorsed an amendment to the Culture Law that imposes a five percent tax on advertising revenue. But, following a campaign led by media outlets and the JPA, this tax was reduced to one percent in 2009.

As last year's MSI noted, advertising income is the major source of sustenance for newspapers; cover prices cannot sustain newspaper operations. The Jordan chapter of the

*Further, media outlets cannot depend on the government for advertising because it sometimes pressures its ministries not to advertise in media outlets that it dislikes.*

International Advertising Association commented that a declining growth rate in advertising spending, which the media research company Ipsos-Stat reported in 2008, can be attributed to the instability of consumer spending patterns, the high cost of living, and the taxes on advertising.

Panelists also noted that, in some cases, the advertising institutions attempt to control content.

The panelists agreed that the government does not support independent media outlets with subsidies. Also, according to the new code of conduct, the government decided not to renew its subscriptions to all types of media, and will resort instead to direct purchases from the local market. Some of the panelists, including Daraawi, said that this is a harsh blow to some media, as the end of government subscriptions deprived some outlets of a major source of income.

Further, media outlets cannot depend on the government for advertising because it sometimes pressures its ministries not to advertise in media outlets that it dislikes. For his part, though, Awwad shared his view that this is not a bad development, as governments in some other countries finance private media institutions as a means to impose their agenda on these institutions.

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Some media hire firms, such as Ipsos-Stat, to measure audiences or conduct market research. Such information is used in strategic planning, marketing toolkits, etc. In addition, the Jordan Media Survey measures radio, television, and Internet audiences and preferences. According to panelists, studies conducted regarding the circulation, readership and viewership of media outlets are directed according to the needs of certain institutions.

#### OBJECTIVE 5: SUPPORTING INSTITUTIONS

#### Jordan Objective Score: 2.34

Panelists noted that there are no trade associations actively supporting the media industry in Jordan.

However, the JPA represents media professionals, including journalists, editors, and employees of the state-run news agency and newspapers owners. Established in 1953, this association includes some 1,000 members from the private and state media. The 1998 Jordan Press Association Law mandates membership for those who want to practice journalism, and journalists who practice journalism without joining the JPA are subject to penalties. Nevertheless, dozens of journalists are not members of the JPA.

Several NGOs in Jordan work in support of freedom of speech and media, and also provide short-term training programs for journalists, such as the Center for Defending the Freedom of Journalists, the Arab Women Media Center, Arab Reporters for Investigative Journalism, and Amman-Net. Funded in part by international donors and NGOs, they are independent of the government and their activities. The Center for Defending the Freedom of Journalists acts as a media watchdog; it issues

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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an annual report on media freedoms; lobbies for media law reform; conducts workshops for members of parliament, legal experts, and journalists, and; provides volunteer lawyers to represent journalists.

During the discussions, panelists said that university graduates fail to live up to the standards of the profession, and lack proper training and qualifications. The Jordan News Agency, Petra, and the pro-government paper *Al Rai* have also started to provide in-house training to empower its staff. There are also international organizations that support media training initiatives for Jordanian journalists.

The government does not control the printing industry. In fact, most newspapers own their own presses, which they consider profit-generating assets. There is also one commercial printing press in the country. The weeklies and other papers without their own printing facilities are printed by one of these other presses.

Similarly, the government does not interfere in the distribution of newspapers. The private company Aramex is the country's only distributor of newspapers and magazines, although a few papers, including *Addustour* and *Al Arab Al Yawm*, have their own in-house distribution systems.

## List of Panel Participants

**Omar Assaf**, senior editor, *Al Rai*, Amman

**Mohammad Hawamdeh**, Khabberni.com, Amman

**Haitham Shibli**, manager, Farah Ennas Radio, Amman

**Bader Agha**, presenter and producer, Rotana Radio, Amman

**Hani Hazaimah**, reporter, *Jordan Times*, Amman

**Fateh Mansour**, program manager, The Center for Defending Freedom of Journalists, Amman

**Salameh Daraawi**, columnist, *Al Arab Al Yawm*, Amman

**Osama Sharif**, writer, *Addustour*, Amman

**Khetam Malkawi**, reporter, *Jordan Times*, Amman

## Moderator and Author

**Saad Hatter**, correspondent, BBC, Amman

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*With media, particularly television, playing a direct role in increasing political tensions, a new electoral law promulgated in 2009 required equal, unbiased coverage of all candidates and equal advertising access, while prohibiting political broadcasts overtly in favor of one side. The law was flouted widely.*



## LEBANON

# P

Parliamentary elections underscored many of the weaknesses of Lebanon's media sector. Journalists from both sides of Lebanon's political fault line were pessimistic generally, given the disregard of journalism standards driven by the biases of a largely politicized ownership structure. Both sides concur that rival politicians use their ownership of newspapers and television stations to shape content in order to inflict damage on their rivals or bolster their own bases of support.

Lebanon's media sector, like much of the nation, remains something of a paradox. At once more free than any other in the Arab world, producing work to a higher standard than most, and engaging its audience thoroughly in the contest of ideas, the media is also a slave to its own dynamism. Its power to sway public opinion is used and abused by the politicians whose money has fueled its vibrancy and diversity.

The parliamentary elections in June dominated the year and pitched a Sunni-led coalition backed by the West and Saudi Arabia against an opposition led by Hezbollah, the Iranian-financed, Syrian-allied Shia political party and militant group. The two sides have been struggling for power and control in Lebanon since the February 2005 assassination of Rafik Hariri, a five-time prime minister. Initially a majority of Lebanese blamed his killing on the government of Syria, whose troops and intelligence agents in Lebanon had controlled the country's politics and security for nearly three decades.

With media, particularly television, playing a direct role in increasing political tensions, a new electoral law promulgated in 2009 required equal, unbiased coverage of all candidates and equal advertising access, while prohibiting political broadcasts overtly in favor of one side. The law was flouted widely. The partisan nature of media during the elections was a significant factor in the MSI panelists scoring both objectives 1 and 2 as unsustainable for the first time.

In the wake of the firings of dozens of journalists from some of the country's leading media organizations, without any collective reaction from the press community, panelists gave a lower score of 1.94 (down from 2.09 in 2008) to Objective 5, supporting institutions. Objective 1 fell, by a similar amount, reflecting the government's inability to enforce laws on the books that protect free speech.

Scores under Objective 2, professional journalism, Objective 3, plurality of news, and Objective 4, business management, more or less held steady, reflecting the continuing open and accessible nature of Lebanon's media and continued political patronage that support media operations. Panelists were quick to point out that if any of Lebanon's relatively cash-rich media were to lose the finances of political patrons, they would find themselves unable to generate enough revenue through advertising and sales alone.

# LEBANON AT A GLANCE

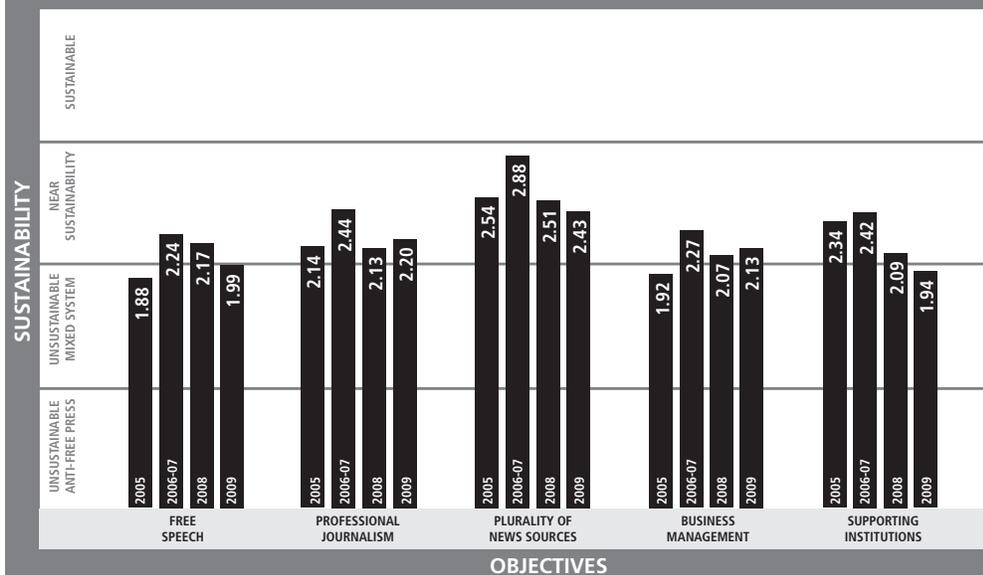
## GENERAL

- > **Population:** 4,125,247 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Beirut
- > **Ethnic groups (% of population):** Arab 95%, Armenian 4%, other 1% (2008 est., *CIA World Factbook*)
- > **Religions (% of population):** Muslim 59.7% (Shia, Sunni, Druze, Isma'elite, Alawite or Nusayri), Christian 39% (Maronite Catholic, Greek Orthodox, Melkite Catholic, Armenian Orthodox, Syrian Catholic, Armenian Catholic, Syrian Orthodox, Roman Catholic, Chaldean, Assyrian, Copt, Protestant), other 1.3% (2008 est., *CIA World Factbook*)
- > **Languages:** Arabic, official language and universally spoken. Also French and English, with small minorities speaking Armenian and Kurdish
- > **GNI (2009-Atlas):** \$34.05 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$13,400 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 87.4% (*CIA World Factbook*)
- > **President or top authority:** President Michel Suleiman

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 11 leading Arabic daily newspapers, 2 French-language dailies, and 1 each in Armenian and English; Radio Stations: 1 state-owned and 27 private; Television Stations: 1 state-owned and 6 private (Future TV, Al Manar, NBN, Orange TV, New TV and LBC)
- > **Newspaper circulation statistics:** There is no central source for newspaper circulation; top dailies include *An Nahar*, *As Safir* (both report 45,000 daily), *Al Balad*, and *Al Hayat*
- > **Broadcast ratings:** N/A
- > **News Agencies:** National News Agency, Central News Agency (both state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** Estimates range from 1 million (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: LEBANON



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## FREEDOM OF SPEECH

Composite Score: 1.99

Speech and its associated  
“sustainable, mixed system” level,  
2008.

are open than those of its Arab  
political and religious divides and  
translate into a chronic lack of  
country’s 18 officially recognized  
grant mix of opinions. But  
are not entirely polarized between  
majority, backed by Western  
opposition, backed by Iran and  
alliances have shaped  
years.

Further by panelists’ perception  
heavily, that regular minor (and  
cases continue with impunity, and  
preferential legal treatment in

guaranteed under the Lebanese  
law. Press Law article 9 states  
the profession of publishing news  
law, which dates to 1962, also  
is deemed dangerous to national

### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

#### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*“We saw that no one respected the law, so we went ahead and campaigned—we were dragged into this,” said Barbar. He also criticized media watchdogs for failing to condemn violators of the new law. “Their reports were very timid,” he said. “They never named networks that were in violation of the law.”*

security or insulting to high-ranking Lebanese officials. An additional statute, the Audiovisual Media Law of 1994, forbids an individual or family from owning more than 10 percent in a television company. “The law was designed to prevent political parties from having TV networks,” said Roland Barbar, a senior producer at Future News, part of the media group owned by the Sunni Prime Minister and parliamentary majority leader Saad Hariri.

But Barbar went on to list Lebanon’s major television stations, all of which are owned by or affiliated with a particular party or politician: Al Manar, which is part of Hezbollah, the Shia militant group that leads the opposition; OTV (Orange TV), whose name and shareholders come from former General Michel Aoun’s Free Patriotic Movement, allied to the opposition; NBN, nicknamed Nabi Berri News by Lebanese in reference to the Shia speaker of parliament and leader of the opposition Amal party who owns a majority stake; MTV, owned by Lebanese politician Gabriel Murr, who is allied to Saad Hariri’s March 14 movement; and Lebanese Broadcasting Company (LBC), begun by the Lebanese Forces, a party also allied to March 14.

“So what kind of law is this?” asked Barbar. “Almost every network is owned by a political party.”

The already polarized media reached fever pitch during June’s parliamentary elections. In a new electoral law implemented for the first time in 2009, the Ministry of the Interior decreed that media outlets must allow all candidates advertising space for a standard rate and offer all candidates equal access to airtime and print whilst also banning broadcast media from supporting any one candidate.

In 2002, MTV was closed down after being charged in court with promoting parliamentary candidate Gabriel Murr in a 2001 by-election. The station reopened in March 2009, ready for the election.

The Maharat Foundation, an NGO focused on media in Lebanon, conducted a study of the media’s election coverage

*“Freedom of speech is valued but legal protection is haphazard—or lacking at best—when free speech is violated,” said Abu Fadil. “It is debatable whether the judiciary acts independently in dealing with free speech issues.”*

and found that despite the new law, news content across different media was neither objective nor balanced. “Political side-taking weakened media institutions and transformed them into mere tools,” the foundation concluded.

Barbar said that he and other managers instructed their journalists to adhere to the Ministry of the Interior directive. “We had to strike a balance between [the] March 8 and March 14 [political factions],” he said. “We were afraid of lawsuits against Future News. If there was a statement by a politician, we put it on air.”

However, as the elections drew near, the new rules quickly went out the window. “We saw that no one respected the law, so we went ahead and campaigned—we were dragged into this,” said Barbar. He also criticized media watchdogs for failing to condemn violators of the new law. “Their reports were very timid,” he said. “They never named networks that were in violation of the law.”

Several panelists pointed to the unethical behavior of the country’s politicians during the elections. Ghadi Francis, a journalist with opposition-leaning *As Safir* newspaper, put it bluntly, “During the elections, guests paid by the minute to appear on air and also paid for newspapers and magazines to do interviews with them.”

Magda Abu Fadil, director of the journalism training program at the American University of Beirut, highlighted this use of media in political campaigning. “Politicians used the media as a weapon to lash out at each other, rather than to inform the public,” she said.

Most panelists agreed that the government selectively enforces laws protecting freedom of speech. “Freedom of speech is valued but legal protection is haphazard—or lacking at best—when free speech is violated,” said Abu Fadil. “It is debatable whether the judiciary acts independently in dealing with free speech issues.”

Licensing laws date back to the 1962 Press Law requiring any newspaper or periodical seeking to publish news on political events to first obtain a legislative decree granting it a Category 1 license. Other newspapers and periodicals

receive a Category 2 license. The Audiovisual Media Law of 1994 divides television and radio stations into categories related to whether or not they are licensed to broadcast news and/or political coverage or only entertainment or general interest content.

David Munir Nabti, founder of the NGO Root Space, spoke from direct experience in launching *Hibr*, a youth-driven newspaper and website, during the elections. He said that obtaining the hoped-for license to cover politics as well as social and economic concerns had been all but impossible. “Legal obstructions to registration represent an incredibly high barrier to entry,” Nabti said. “We had wanted to register as political media, but that was incredibly difficult and incredibly expensive. The only license available must be bought from other people for a couple hundred thousand dollars, and even then you can’t change the name unless you buy two licenses and merge them.”

During the year, several journalists privately reported harassment from political parties, politicians, fellow journalists, and opposition militia figures. They generally threatened violence against the journalists and their families if they did not cease writing articles on sensitive political issues, according to the United States Department of State’s *2009 Human Rights Report*.

Assassinations of print journalists (including Gibran Tueni, editor of pro-March 14 newspaper *An Nahar*; and Samir Kassir, a columnist at *An Nahar*, in 2005) remain unprosecuted. So too does the assassination attempt on LBC anchorwoman May Chidiac in 2005.

The UN Special Tribunal for Lebanon (STL) is currently prosecuting those accused of Prime Minister Rafik Hariri’s assassination. STL is tasked with bringing indictments for prior and subsequent assassinations—which may well include attacks on prominent journalists—if they are found to be linked to Hariri’s killing.

“No one is prosecuted for killing journalists; it’s a non-starter, either because they are not identified or no one is brought to court,” Abu Fadil said. “The legal system is hamstrung and is not operating as it should. There’s impunity if journalists are harassed. If the people doing it belong to a certain affiliation or are backed by an organization, they will never be taken to task.”

Barbar echoed this view. “There is no progress, only regression in cases of harassment of journalists, and letting it go only encourages people to do it,” he said.

Suing for libel remains a civil law issue, and 2009 saw officials leveling a string of high-profile lawsuits against the press. Opposition-leaning New TV’s investigative show, *Corruption*,

was taken to court four times in 2009. In June, two guests of the talk show were sued by Member of Parliament Ibrahim Kanaan of Michel Aoun's Free Patriotic Movement, a key member of the opposition, on charges of libel, slander, and spreading false news after they claimed that Kanaan had been involved in buying votes. The case was settled out of court, with New TV paying Kanaan LBP 5,000,000 (\$3,300).

In September, Judge Shaheed Salameh sued *Corruption* host Ghada Eid for libel. She was sentenced to pay LBP 1,000,000 (\$660) in bail and \$3,300 in compensation to the judge. Eid was sued again in October by another judge, Shukri Sader, after accusing him of using his post to undermine other judges and to secure a lucrative and powerful position as a judge on the Hariri tribunal. Eid had to pay \$13,300 in compensation to Sader. Finally, Eid was made to pay another \$13,300 to Judge Afif Shams el Dine after calling him the most corrupt judge in Lebanon. Despite the turbulent year, she remains the head of the show.

"I believe in the last two years, political parties have understood the importance of using libel and the courts to defend their political views against allegations," said Barbar. "This is because allegations are a political weapon used in Lebanon during the last five years."

Lebanon does not have an access to information law. The Maharat Foundation and Member of Parliament Ghassan Mukhyber have been working to create one, so far with little progress.

"Access to information depends on the newspaper," said Francis. "The Interior Ministry would not even answer my calls unless someone else calls for me. If you know people in political parties on a personal basis, they give you information for free."

However, the Lebanon government is becoming increasingly proactive in making information available online. Panelists agreed that government officials in Lebanon are using the Internet to a greater degree to publish information. "The different ministries have understood the importance of putting documents online," said Barbar.

The government does not restrict media's access to international news or news sources and media freely use these in their reporting.

Entrance into journalism as a profession, while officially open to all, remains shaped by the same forces that control the media's editorial line. As Abu Fadil noted, "Hiring of journalists is often influenced by political and sectarian interests."

*"People asked me, 'Who do you represent and where are you from?'" said Julnar Doueik, a journalist with Hibr. "I told them that I'm a citizen journalist. They said, 'What is that?' People are not used to this kind of media," she said.*

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Lebanon Objective Score: 2.20

With journalists caught up in the high-stakes games of political poker played out by politicians who use their ownership of media as a tool against rivals, standards of professional journalism in Lebanon continued to be flouted through 2009. The score remained more or less the same as last year, with the same deficiencies as past years being experienced, but in greater number due to the nature of election coverage.

Panelists agreed that the primary obstacle to the development of professional journalism is the politicization of the media sector. "Media ownership tops the list of factors affecting the objectivity of news in the country," said Root Space's Nabti. "Media is serving the interests of political parties. Each newspaper, radio, or television is the spokesperson of a specific party and reflects exclusively its opinions, beliefs, and values."

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

*Expensive watches are a common form of bribery, and Lebanese television audiences often joke about the silver Rolexes they see dangling from the wrists of evening talk show hosts.*

Several panelists called for more transparency in political funding to media outlets. “We need a system of subsidies for political parties in Lebanon so we know who’s paying how much and they all have equal opportunities [for media access],” said Barbar.

In this divided nation, politically owned media have been unable to maintain standards of objectivity or even a separation between news and editorial desks, according to the panelists. “There has been a degradation of standards over the last two years. There is no adequate fact-checking and no balance,” said Abu Fadil. “Hard news and editorial is muddled. There are an awful lot of opinions and not a lot of hard news reporting.”

A code of journalism ethics, devised by the Press Federation and dating back to 1974, was described as “flimsy” and “woefully outdated” by Abu Fadil, while Barbar dismissed the concept as having little bearing on media in Lebanon.

“The word ‘ethics’ is totally absent from the Lebanese media landscape,” Barbar said. “There are principles, but ethics is something that is very hard to translate.”

While self-censorship has decreased significantly since 2005, after Syria withdrew its military and much of its intelligence services from Lebanon, panelists said that it is still practiced, particularly in cases in which foreign patrons pressure their domestic clients.

Panelists agreed that journalists cover key events in Lebanon, and few subjects are off-limits, but often a journalist’s physical access to news events can be restricted according to the political leaning of a particular media outlet.

As an example, panelists said that journalists working for Hezbollah’s Al Manar TV station do not report from the Tarek al Jdede neighborhood of Beirut, a Sunni-dominated area controlled by supporters of the March 14 movement and where supporters of the rival groups engage in deadly clashes. Conversely, Al Manar enjoys almost exclusive access to the Hezbollah-controlled southern suburbs of Beirut.

According to the panelists, media are so polarized that when reporters from *Hibr*, the youth-driven newspaper, went to report on the election, they found voters suspicious of their non-partisan position. “People asked me, ‘Who do you

represent and where are you from?’” said Julnar Doueik, a journalist with *Hibr*. “I told them that I’m a citizen journalist. They said, ‘What is that?’ People are not used to this kind of media,” she said.

The most blatant manifestation of skewed media ethics in Lebanon is the widely practiced system of bribes—some Lebanese journalists prefer to call them “gifts”—by which politicians and powerful figures buy loyalty and positive coverage. The payment and acceptance of bribes to media professionals is so prolific that several panelists said that refusing bribes could often lead to a journalist being denied access to sources. Expensive watches are a common form of bribery, and Lebanese television audiences often joke about the silver Rolexes they see dangling from the wrists of evening talk show hosts.

At a basic level, bribes augment a low salary for some journalists, according to panelists. Though journalists are paid better than most civil servants and teachers, the panelists decried their low wages, which average \$700 to \$800 per month.

“If you work for a successful newspaper, you can earn around \$2,000 a month,” said Francis, noting that freelancing for *Safir*’s youth section barely covers her phone bill. By comparison, Francis said, a female reporter that she knows crashed her car but the next day drove to work in a brand-new one—a gift from a politician close to the journalist and her media outlet.

An average reporter at Future News might earn a base salary of \$1,000 a month, said Barbar, but the station has a system of incentives whereby work on additional programs can earn the employee in the range of an additional \$800 a month.

Lebanon remains a regional leader in using up-to-date technical facilities for producing and distributing news. Political talk shows tend to eclipse entertainment, particularly in times of tension. “When a political crisis arises, entertainment stops and gives way to back-to-back news,” said Radwan Mortada, a journalist for opposition-aligned *Al Akhbar* newspaper.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Lebanon Objective Score: 2.43

The panelist agreed that, taken as a whole, Lebanese media is pluralistic, affordable, and accessible, and they scored Objective 3 well inside the “near sustainable” bracket.

Because the law requires private radio and television to cover all Lebanese territory, in theory media should be accessible,

even in remote areas. In practice, a number of radio stations broadcast only locally. Lebanon has 11 regional radio stations, along with 16 national radio stations broadcasting in Arabic, French, English, or all three. Some national broadcasts are in Armenian.

Newspapers are affordable, costing between LBP 500 (\$0.33) and LBP 2,000 (\$1.33). Dozens of local newspapers and hundreds of periodicals publish throughout the country, and are financed by and reflect the views of a broad spectrum of political and religious groups.

Lebanon has some of the most prolific and influential newspapers in the region, but like television channels, they fall clearly into political camps. Of the 11 leading Lebanese-run Arabic daily newspapers, *An Nahar*, *Mustaqbal*, *Al Liwaa*, *Al Hayat*, *Al Bayrak*, *Al Anwar*, and *Al Shark* are considered as supporting the March 14 alliance. *Al Akhbar*, *As Safir*, and *Ad Diyyar* support the March 8 opposition, while *Al Balad* is seen as non-partisan. *Al Kalima* is the country's leading non-partisan political weekly newspaper.

Lebanon also has two French-language dailies, *L'Orient du Jour* and *Action*; one Armenian-language newspaper, *Souryakan Mamoul*; and the English-language *Daily Star*. Several leading Lebanese economic and political magazines are published in English; they include *Lebanon Opportunities*, *Monday Morning*, and *Executive*.

As well as the domestic television stations already described, Lebanon hosts several foreign Arab satellite channels broadcasting under international license. They include the Iraqi-owned ANB, Al Sumariyeh, and Al Baghdadiyeh;

*Wireless access is still spreading through the suburbs of Beirut and out to the surrounding mountains, though it has yet to extend south of Sidon.*

US-government-funded Al Hurra; Iranian-owned Al Alam; and Palestinian Al Aqsa.

Internet penetration has more than doubled over the past two years to 2.19 million, according to 2008 data quoted in the CIA World Factbook. That equals 52 percent of the population, according to UN data. Coverage now extends to most of the country, except the most remote rural villages of the far north and south. DSL broadband Internet is now available in most areas of Beirut but remains relatively expensive compared to the rest of the region: an 8MB DSL connection costs \$100 in Egypt, while in Lebanon the price of 1MB is \$200.

Wireless access is still spreading through the suburbs of Beirut and out to the surrounding mountains, though it has yet to extend south of Sidon.

Lebanese blogs and news magazines thrive on the Internet. Two of the most prominent are An Nashra, a daily political and economic bulletin produced by the Lebanese Company for Press and Publication; and NOW Lebanon, an online newsletter of features and analysis in English and Arabic.

Future TV producer Barbar pointed out that though political divisions have carved up the Lebanese media landscape, those divisions also ensure that citizens have unlimited access to a lively debate in which all sides participate. "It means that no one can hide or impose something huge on Lebanon, because you always hear from other parties giving some information to counter. In this way, these divisions in Lebanon are still productive," he commented.

Most of Lebanon's media outlets are owned privately, and unlike many countries in the region, state media enjoy no particular privileges. Panelists were generally critical of the situation of state-owned television station TeleLiban and Radio Lebanon. "Public media have largely been abandoned in Lebanon," said Doueik. "The public media are only alive to prove the existence of the government."

Barbar lamented a bygone era in which, he said, Lebanese public broadcasting had been a pioneer for the region. "In the 1960s, TeleLiban used to be highbrow in its coverage of arts and culture. It would introduce arts from Egypt and the Maghreb and experimental movies and series. Private media could not achieve this. Private media always question a

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*Barbar lamented a bygone era in which, he said, Lebanese public broadcasting had been a pioneer for the region. "In the 1960s, TeleLiban used to be highbrow in its coverage of arts and culture. It would introduce arts from Egypt and the Maghreb and experimental movies and series. Private media could not achieve this."*

program's sustainability vis-à-vis advertising. In the absence of a state outlet, we definitely lose something."

Yet the question of whether Lebanese would be prepared to pay a license fee or similar tax to support public media drew a unanimous, vigorous "no" from panelists.

Lebanon has two national news services, National News Agency and the Central News Agency, which, in the words of Abu Fadil, "churn through copy on the comings and goings" of official figures but do little else.

Major international news agencies such as Reuters, AP, and AFP have bureaus in Lebanon and their material is circulated widely. An increasing number of local news agencies report and distribute material through their websites. They include Nashraq ("Bulletin"), aligned with the FPM; Akbar il Yom ("News Today"); and Markazeya.

As a country with a complex sectarian make-up, Lebanon has abundant minority language media outlets, including a licensed Armenian-language radio station. Future TV broadcasts a news hour in Armenian, English, and French. Kurds can associate freely and publish their own newsletters in Kurdish, but as yet, no station broadcasts in Kurdish.

"The Armenians, as a minority, receive better attention, having their news bulletin in their own language," said Nancy Razzouk, a producer for LBC International. "The reason for this is that they are the biggest minority. They play an obvious role in the economy and most crucially, they have voters in the elections, so all parties try to get close to them."

**OBJECTIVE 4: BUSINESS MANAGEMENT**

**Lebanon Objective Score: 2.13**

Panelists generally disagreed with the idea that media operate as efficient and professionally managed businesses.

They noted that without cash injections from political parties, many media outlets in Lebanon would flounder or fail.

"Advertising is a goal for all media outlets. It's an important factor of financial balance," said Barbar. "But the advertising market in Lebanon is too small for all operating media outlets and cannot exclusively sustain any private media."

LBCI producer Razzouk said that most local newspapers "are not profitable businesses, serving political agendas" while several television stations (NBN, Future TV, and Al Manar) are linked directly to political figures and require political money to keep running.

Panelists noted that a powerful Christian family, the Choueiry, hold a virtual monopoly on sources of advertising in Lebanon through control of the largest media-buying broker in the Middle East.

"Since Lebanon is such a small market, there is heavy competition over the limited advertising revenue that exists here," said Nabti. "That gives disproportionate influence over the media to advertising agencies and big Lebanese businesses. Many of those businesses and agencies have strong and clear political ties."

As with media outlets around the world, the financial crisis negatively impacted the Lebanese media in 2009. Facing debts reported at \$5,000,000, Lebanon's oldest newspaper, *An Nahar*, laid off more than 50 editors and employees, including prominent writer Elias Khoury. Gibran Tueni's daughter, Member of Parliament Nayla Tueni, now runs the paper.

Ghassan Hajjar, managing editor, said that the layoffs were part of reforms recommended by Booz Allen Hamilton, which conducted a study on the newspaper's finance, management,

**INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.**

**BUSINESS MANAGEMENT INDICATORS:**

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

and productivity. Some observers expressed surprise that *An Nahar's* wealthy shareholders, including Prime Minister Saad al Hariri, former Member of Parliament Issam Fares, and Saudi prince and tycoon Waleed bin Talal, failed to step in to bail out the struggling newspaper.

Later in 2009, LBC, the television station often cited as the most commercially viable, fired 140 employees in a fat-trimming exercise, according to CEO Pierre el Daher. According to some observers, LBC was preparing itself for a deal that would see Rupert Murdoch purchase shares in Waleed bin Talal's Rotana Media, including his stake in LBC. LBC's ad revenues took a direct hit following the airing of a controversial prime time show, *Bold Red Line*, which featured a Saudi man boasting on camera of his sexual escapades from ultraconservative Saudi Arabia. While the show's ratings skyrocketed, the man was dragged to court, the show was suspended for four months, and the LBC offices in Saudi Arabia were shut down.

An ongoing saga over control of LBC has also compromised the station's fortunes. LBC was founded during Lebanon's 15-year civil war by the Lebanese Forces, a Christian political and militia group. Samir Geagea, leader of the Lebanese Forces, was imprisoned on criminal charges in 1994 and handed control of LBC to Daher. Following his release in 2005, Geagea, who still heads the Lebanese Forces as a political party, claimed that he has the right to take back ownership of the station and has documents to prove it. Daher said he bought out Geagea for \$5,000,000 and that he has documents to prove his case.

"They're talking about the same facts with different documents to support different claims. It's bizarre," said Barbar. "It tells us interesting things about media laws in Lebanon. Both parties are claiming something that is basically an illegal institution. It belonged to a militia; even its frequency is illegal."

Few see the Lebanese judicial process as able to clear up the LBC case any time soon, if at all. "If they go through the legal system, the case will not be resolved for another decade," said Abu Fadil.

A news reporter at LBC, Denise Rahme Fakhri, has taken her case to court, arguing that she was targeted for layoff because of her historical support for Geagea's Lebanese Forces militia.

MTV also laid off employees. While employees claim that the station laid off about 60 of its staff, Head of News and Political Programs Ghayath Yazbeck said that the number was only eight.

*"Since Lebanon is such a small market, there is heavy competition over the limited advertising revenue that exists here," said Nabti. "That gives disproportionate influence over the media to advertising agencies and big Lebanese businesses. Many of those businesses and agencies have strong and clear political ties."*

Lebanese media have no accurate statistics on circulation or ratings. "Broadcast ratings, circulation figures, and Internet statistics are not always reliable," said Abu Fadil. "They may be skewed to provide a brighter picture about actual circulation, for example."

Razzouk was blunter: "Statistics in Lebanon are a big lie. They are controlled by groups that make sure the result serves their own profits."

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Lebanon Objective Score: 1.94

The panelists perceive of media-supporting institutions in Lebanon as irrelevant, weak, and self-serving, and this drove down the Objective 5 score to the lowest in this year's MSI.

Two organizations are intended to represent media in Lebanon. The Press Federation represents owners, publishers,

### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

#### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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*“In general, the organizations that help journalists are not journalism organizations,” said Razzouk. “There are some NGOs who take care of journalists after they are sacked. There are other organizations that belong to some politicians. They also support journalists, but for their own benefit.”*

and organizations in print media. There is no such equivalent for broadcast media. The Journalists’ Union represents working journalists. However, membership is difficult to obtain and many journalists perceive the union as ineffectual. “It is accused of being unrepresentative and most journalists are not enrolled because they find it useless,” said Nabti.

All panelists criticized the two syndicates for being superfluous and outdated. As an example, Doueik noted that every registered print media outlet is required to enlist a “responsible director” who must be registered in either the Press Federation or the Journalists’ Union. “According to our experience, and what we’ve heard from others, this position is usually symbolic and useless,” Doueik said. “It seems like a method for the syndicates to ensure enrollment to support their members.”

Most journalists have long since given up on finding support from their union. “None of the organizations who are supposed to defend journalists really help journalists,” said Razzouk. “No journalists believe they are there to help them, anyway.”

With the hefty layoffs at *An Nahar*, LBCI, and MTV, many journalists criticized their union for not defending their rights. Several media observers condemned the layoffs as unjust and in violation of labor rights. At a demonstration arranged by Samir Kassir Eyes Foundation, a media watchdog, a young journalist expressed her outrage at the Journalists’ Union to *The Daily Star*, saying that despite the many dismissals, the union had not issued any statement of protest.

Rather than depend on their union for support, most panelists pointed to an increasing number of NGOs supporting free speech and independent media. “In general, the organizations that help journalists are not journalism organizations,” said Razzouk. “There are some NGOs who take care of journalists after they are sacked. There are other organizations that belong to some politicians. They also support journalists, but for their own benefit.”

The Samir Kassir Eyes Foundation, formed after the assassination of the *An Nahar* columnist and author who had criticized Syria’s role in Lebanon, works for press freedom in Lebanon and across the region. The European Commission helps support the annual Samir Kassir Award, open to regional journalists who advocate for freedom, democracy, and the rule of law.

Although a number of local NGOs and think tanks advocate for media freedom, most regular statements on the state of press freedom in Lebanon are issued by foreign observers, such as Reporters Without Borders.

Lebanon boasts a variety of journalism training programs. State-run Lebanese University has offered a four-year journalism major since 1952 and Arab University has offered a major in journalism since 2007. The Journalism Training Program at the American University of Beirut offers a non-academic program directed at professionals already working in the field. The program includes training workshops, and successful participants are awarded a professional journalism certificate. The Lebanese American University offers a degree in communications with a specialty in journalism and offers journalism training courses. May Chidiac, the journalist who survived a car bomb in 2005, now teaches practical writing courses and television news at Notre Dame University.

Still, most panelists agreed that journalism training is still too focused on academics rather than practical skills, making it hard for journalism students to find work. “Most media stations look to where the journalist graduated from, and due to the weakness of the universities, most graduates don’t find a media station to work in,” said Razzouk.

Other organizations that offer training to Lebanese journalists include the Thompson Foundation; the International Center for Journalists; the Beirut-based Forum for Development, Culture, and Dialogue; Germany’s Friedrich Ebert Foundation; and workshops funded by the UNDP and BBC World Service Trust.

Panelists agreed that the media sector does not have enough internships to meet the needs of Lebanon’s aspiring journalists. *Safir* takes in four new trainees each month for an eight-month, partially-paid training program. *Nahar*’s once ambitious training program to draw journalists from across the region, established by assassinated editor Gibran Tueni, has shrunken to a small program targeting local students. *Hibr*’s Doueik went through the two-day program and passed the exam to end up on an internship, where she succeeded in having stories published in the paper, but was critical of the training she received. “It was a typical academic running it, pontificating, very old hat,” she said.

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Lebanon's printing industry remains a regional leader and has largely avoided politicization and government interference. The country's tiny size allows channels of distribution to reach even the most remote areas.

## List of Panel Participants

**Roland Barbar**, producer, Future TV News, Beirut

**Ghadi Francis**, journalist, *As Safir*, Beirut

**Munir Nabti**, founder, Root Space (social media NGO), Beirut

**Magda Abu-Fadil**, director, Journalism Training Program, American University of Beirut, Beirut

**Nancy Razzouk**, producer, Lebanese Broadcasting Company International, Adma

**Julnar Doueik**, journalist, *Hibr*, Beirut

**Radwan Mortada**, journalist, *Al Akhbar* newspaper, Zahle

**Mazen Mjawaz**, journalist, *Ad Diyyar*, Beirut

**Issa Sleiby**, freelance journalist, Beirut

**Hussein Kries**, reporter, New TV, Beirut

## Moderator

**Hugh Macleod**, journalist, *The Guardian*, Beirut

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*The year was undeniably bloody for Palestinian journalists. They lost four of their colleagues, who were shot and killed by Israeli forces during the 2008–2009 war in Gaza between Israel and Hamas.*



## PALESTINIAN TERRITORIES

In 2009, ongoing political strife in the Palestinian territories continued to impact the media, with all sides of the conflict failing to honor the rights of the press or uphold the freedom of expression. The Palestinian media continued to expand throughout 2009, even after reaching an unprecedented level in 2008. The intra-Palestinian conflict's two sides, Fatah and Hamas, used the media to provoke and defame each other that year, with no legal accountability, and with increased pressure on independent, private media to favor one side or the other.

The year was undeniably bloody for Palestinian journalists. They lost four of their colleagues, who were shot and killed by Israeli forces during the 2008-2009 war in Gaza between Israel and Hamas. In its annual report on the state of human rights in the areas under the Palestinian National Authority control, the Independent Commission for Human Rights (ICHR) reported that 2009 marked a significant increase in the number of attacks against the personal freedom of Palestinian journalists—to levels unprecedented since the establishment of the Palestinian National Authority.

The ICHR report described assaults on media rights in many forms: physical attacks and threats, storming of media outlets, arrests and interrogations, unjustified accusations of bias and lack of professionalism against some media outlets, barring representatives of certain media from press conferences, and bans on printing and distribution of some papers. These measures harmed not only journalists but the journalism profession as a whole—for example, the blockade against the press at the hands of the police and security services of both the Palestinian Authority in the West Bank, and the Hamas government in the Gaza Strip. Israeli security forces escalated their attacks on journalists in Jerusalem, continued to restrict journalists' movements throughout the region, and banned journalists from entering the Al Aqsa Mosque.

The ICHR report also called attention to the arbitrary application of the law, the absence of parliamentary control over actions of the executive authority, and the suspension of bilateral Israeli-Palestinian negotiations. Essentially, all efforts at national reconciliation were blocked.

In a telling representation of the deep political divisions, the MSI panel meeting was held again this year as a video conference between the West Bank and the Gaza Strip. The panelists concluded that in 2009, the freedom of expression and the freedom of the press continued to suffer from the worsening internal conflicts and the entrenched split in authority between the presidency and government in the West Bank and another government in the Gaza Strip. Despite the escalation of serious violations of civil liberties in general and media freedoms in particular, the country's overall MSI score improved from 2008. Objective 2, Professional Journalism remained nearly unchanged; Objective 1, Freedom of Speech, and Objective 4, Business Management, showed small gains. Much of the increase in overall score is due to improvements in Objective 3, Plurality of News, and Objective 5, Supporting Institutions.

# PALESTINIAN TERRITORIES AT A GLANCE

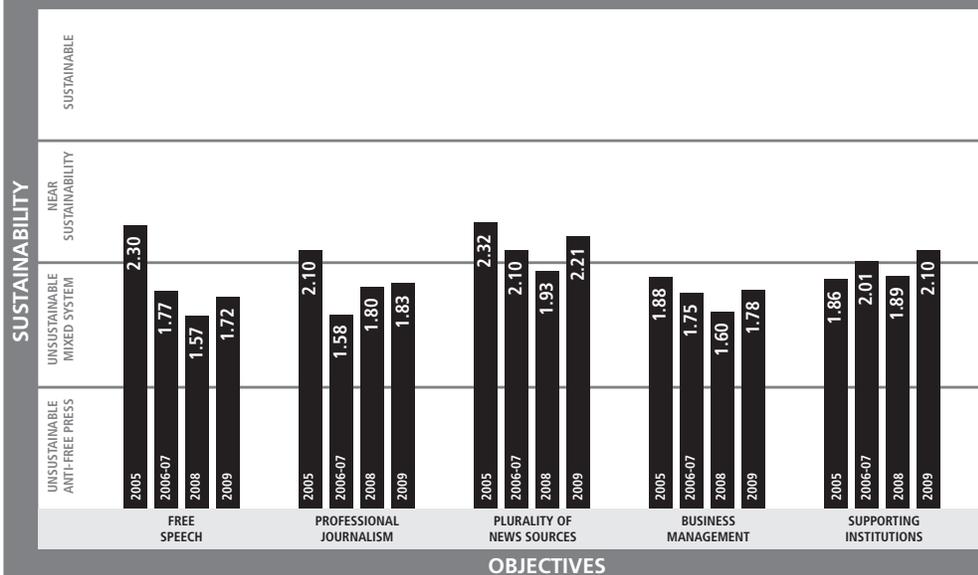
## GENERAL

- > **Population:** 4,000,000 (2007 est., UNDP Human Development Report, 2009)
- > **Capital city:** East Jerusalem
- > **Ethnic groups (% of population):** N/A
- > **Religions (% of population):** Muslim 97%, Christian 3% (2002 est., PASSIA)
- > **Languages (% of population):** N/A
- > **GDP (2007):** \$4.0 billion (2007 est., UNDP Human Development Report, 2009)
- > **GDP per capita (2007):** \$1,160 (2007 est., UNDP Human Development Report, 2009)
- > **Literacy rate:** male 97.5%, female 86.4% (2002 est., PASSIA)
- > **President or top authority:** Currently disputed; President Mahmoud Abbas in the West Bank and President Aziz Duwaik in Gaza

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 4 daily newspapers (3 in West Bank, 1 in Gaza); Radio Stations: 36 total (28 in West Bank, 8 in Gaza); Television Stations: 45
- > **Newspaper circulation statistics:** Total daily circulation for 3 West Bank newspapers does not exceed 50,000
- > **Broadcast ratings:** N/A
- > **News agencies:** Wafa (state-owned), Ramattan (private), Ma'an (private)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 355,500 (2008, www.internetworldstats.com)

## MEDIA SUSTAINABILITY INDEX: PALESTINIAN TERRITORIES



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Palestinian Territories Objective Score: 1.72

Although the Basic Law of the Palestinian Authority, approved in 2002, guarantees freedom of expression, the Press and Publications Law plays a negative and restrictive role. Further, the Legislative Council, crippled by the consequences of the escalating internal conflict since 2006, has not yet studied or monitored the extent to which the Press and Publications Law is harmonized with the Basic Law or international conventions governing the media and freedom of opinion and expression. Hani Habib, a writer and media analyst in the Gaza Strip, said that special media regulations and legal provisions related to the freedom of expression exist and are consistent with international human rights conventions, but they are not taken seriously by the governing authority; furthermore, the law offers no legal protection for journalists.

According to the panelists, some articles of the Press and Publications Law differ and even contradict each other at times. For example, Article 4 of the Press and Publications Law discusses the freedom of press and publishing, whereas Article 7 prohibits the publication of anything that runs counter to “public order”—leaving the door wide open for the authorities, whether in the West Bank or in the Gaza Strip, to define “public order” and empowering them to take whatever action they deem appropriate to maintain it. The problem worsened in light of the internal division, with two

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Reorganization of private radio and television stations and channels has become a more difficult task in light of the continued division between the two West Bank and the Gaza Strip governments, each of which acts in whatever way it deems appropriate to serve its own position in the internal conflict, and authorizes whatever media it has confidence in to serve that position.*

governments squabbling over legitimacy. In both the West Bank and the Gaza Strip, the authorities lost control over their security forces, which carried out many political arrests of journalists, prevented journalists from working, shut down some media offices, and confiscated journalists’ equipment—nominally because of their attitudes towards the internal conflict or the way they covered its progress.

The panelists underlined clear discrepancies between media law and the actual status of media freedoms in the Palestinian territories. Nevertheless, 2009 did not see any appreciable change in the legislation. Media professionals pushed actively to provide a draft for a law on radio and television to regulate the broadcast sector, as the Press and Publications Law of 1995 governs the print media only, but the government has offered no real response. A draft remains in limbo with the Council of Ministers.

Yahya Nafie, editor-in-chief of Ajyal Radio network, commented that the Palestinian Authority experiment is not stable, and although the Palestinian territories cannot be treated as a country entirely without laws, it should not be treated either as a constitutional state where the rule of law prevails.

Habib commented that both governments have parties that grant media licenses without clear rules and regulations; those media are subject to political whims. Reorganization of private radio and television stations and channels has become a more difficult task in light of the continued division between the two West Bank and the Gaza Strip governments, each of which acts in whatever way it deems appropriate to serve its own position in the internal conflict, and authorizes whatever media it has confidence in to serve that position. But by late 2009, the ministries of Communication and Information Technology, along with the media in the West

*Furthermore, many officials favor releasing news to foreign agencies or foreign journalists over local journalists.*

Bank, had initiated a process of reorganizing broadcast media by requiring renewal of licenses, making payment of license fees obligatory, and encouraging mergers between small television and radio stations. The mergers sparked concerns about limiting freedoms in the absence of a specific law on radio and television media.

According to Reporters without Borders' international ranking of press freedom, the Palestinian territories placed 161st internationally in 2009—just a slight improvement compared to its ranking of 163rd the previous year. Numerous violations against media and media outlets were well documented throughout 2009. The Palestinian Center for Development and Media Freedoms (MADA) recorded 173 violations of media freedoms in the occupied Palestinian territories in 2009; the Israeli occupation forces and settlers committed 97 of the violations, and security forces in the West Bank and the Gaza Strip or armed Palestinian groups committed 76. MADA considered the numbers of offenses against Palestinian journalists to be one of the highest worldwide—even though the number had fallen off slightly from 2008, when MADA recorded 257 such offenses.

According to MADA, Israeli forces shot and injured a total of 34 Palestinian journalists, while Palestinian forces beat six journalists. In January 2009, during the Gaza war that began on December 27, 2008, four Palestinian journalists—Basil Faraj, Ihab Wahidi, A'laa Murtaja, and Omar Silawi—lost their lives, along with two British and Italian journalists. MADA also detailed attacks on Gaza Strip media outlets, including the destruction of Palestinian Radio and Television headquarters and relay towers in Ramallah; the air attacks on the headquarters of Sawt al Aqsa Radio, Sawt al Shabab Radio, and the Al Jeel press office in Gaza City; and live rounds shot at journalists and photographers. Israeli authorities also prevented all but a very few journalists from entering Gaza after the comprehensive blockade imposed on November 6, 2008 and during the war. In other words, occupation forces still continue to prevent most Palestinian journalists from moving freely after more than four decades, in continued breach of article 13 of the Universal Declaration of Human Rights.

In addition, the Israeli forces attacked journalists during their coverage of the weekly peace marches that were held in a number of Palestinian towns and villages to protest the settlements, confiscation of land, and building of the

separation wall. Israelis escalated their attacks on journalists in Jerusalem and banned them from entering the Al Aqsa Mosque, in clear violation of international agreements and the Universal Declaration of Human Rights, as well as Israeli law, which Israeli soldiers apply by force in occupied East Jerusalem.

Wafa' Abdel Rahman, director of Filastiniyat, a media advocacy organization, observed that the violations against Palestinian journalists come from more than one side. For example, while covering peaceful marches against the separation wall, some journalists faced bullets from the Israeli occupation forces, some were imprisoned by the Palestinian Authority in Ramallah for working for a media outlet belonging to Hamas, and some were imprisoned in Gaza if they criticized Hamas or talked about its various forms of corruption. Abdel Rahman pointed to the harassment faced by Asma' al Ghoul, a journalist working for the Palestinian newspaper *Al Ayyam*, which Hamas has banned from Gaza.

Mahmoud Khalifa, an academic writer and political analyst, said that after the Hamas military turned against the Palestinian Authority in Gaza, journalists in Gaza endured near-daily harassment and assaults, including shootings, arrests, raids, confiscation of property, and restrictions on leaving Gaza. Some journalists were arrested in the West Bank as well; however, West Bank's government and presidency provide potential for legal intervention for journalists. In Gaza, journalists have no such possibilities for help, given that actors and decision-makers there remain unknown and anonymous. For example, in mid-February 2010, a British journalist, Paul Martin, was arrested in Gaza on charges of espionage but released almost a month later. The journalist Asma' al Ghoul was defamed, photographer and journalist Nasr Abu Alfoul was arrested and his equipment was confiscated—the list goes on.

Hidaya Shamoan, media coordinator for the Women's Affairs Center in Gaza, described the events of June 14, 2007, as well, when internal fighting in Gaza led to the forcible closure of several media outlets, while some radio stations had their equipment confiscated or their employees arrested. On that day, 53 Palestinian women in media lost their jobs in television, radio, and print media. Yet no protection was extended to those women as media correspondents, or to their outlets.

According to Khalil Shahin, editor-in-chief of *Al Ayyam*, the problem is not who has committed more violations, whether forces in the West Bank or the Gaza Strip. At the end of the day, the two governments must take the responsibility for deepening the divide between the applicable laws in force and the persistent violations of media freedoms. He said also that both sides are taking advantage of the media—especially

the official and the party media that are loyal to the two sides—in order to fuel the flames and perpetuate the division. He warned that security forces’ ongoing failure to uphold the law in the West Bank and the Gaza Strip, and their pressure on journalists and their media outlets, contribute to the culture of fear in the community.

Shamoan said that the Palestinian territories are the product of political approaches that fail to honor human rights and principles. The most far-reaching violations, however, are those committed against the freedom of opinion and expression, especially the freedom of press. According to Mohammad Kraizim, a reporter and blogging specialist, the restrictions have expanded the circle of committed journalists that are fed up with restrictions and controls with no justification other than the “supreme national interest” of the Palestinian people—when the phrase “national interest” is subject to interpretation.

Article 79 of the first Protocol Additional to the Geneva Conventions of August 12, 1949, and the Protection of Victims of International Armed Conflicts of June 8, 1977, entitled “Measures of Protection for Journalists,” state that journalists engaged in dangerous professional missions in areas of armed conflict should be considered civilians that must be protected. However, the Israeli authorities continued: attacking Palestinian journalists and the headquarters of Palestinian media outlets; preventing journalists from moving freely while carrying out their professional work; blocking journalist access to sources of news and information; and preventing journalists from covering news in areas in which the occupation forces are conducting military activities, by declaring such areas closed military locations. As a result, often the Palestinian media were blocked from circulating their version of events on the ground, while international media outlets presented the only story available—that provided by Israeli military correspondents. The ongoing restrictions also prevented many journalists and photographers from traveling abroad to receive international and regional awards that they had won for their objectivity and professionalism in covering Palestinian reality.

Hourani agreed that the Palestinian press faces a problem in this respect, as the same parties that approved the legislation are the worst violators, and offenses committed against journalists receive little attention from a public preoccupied with other day-to-day issues.

Last year’s MSI noted the growing practice of arresting journalists under the pretext of defamation, libel, and incitement. This continued on all sides; the Palestinian side arrested 30 journalists in 2009, while Israelis detained seven. On the other hand, ICHR noted that the Palestinian judiciary had not found guilty any of the accused journalists. Rather,

the Supreme Court of Justice in the West Bank has handed down more than one order for the immediate release of journalists detained by security forces.

The absence of a law on the right to access information also continues to limit journalists. As reported last year, permission from official sources is required before news can be disclosed to media agencies. Furthermore, many officials favor releasing news to foreign agencies or foreign journalists over local journalists.

The panelists noted that the Hamas government has restricted journalists’ work by trying to force them to get press accreditation cards from its side. But journalists have protested, noting that the high taxes would prevent the flourishing of any media except those supported by official institutions.

The Palestinian National Authority does not exercise any restrictions on the study of journalism and media. The field is considered open to anyone that meets the university and college admission requirements, which are based on the standards and requirements that the Ministry of Higher Education has adopted.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Palestinian Territories Objective Score: 1.83

The continuing internal conflict between rivals Fatah and Hamas, with the consequent pressure on journalists and violations of public freedoms, has hampered the development of the Palestinian media’s standards and professional capabilities. From the establishment of the Palestinian

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

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*Private-sector journalists also self-censor to preserve their relationships with political parties or the advertisers that pay the bills.*

Authority up until the outbreak of the internal conflict, the media sector worked actively to enhance the development of the Press and Publications Law of 1995 and its implementation in the West Bank and the Gaza Strip. Media outlets tried to strengthen the professional media and the capacities of their employees, despite the negative impacts of the conflict coupled with the Israeli occupation.

In 2009, many Palestinian journalists suffered from low levels of professional ability, lack of access to sources of information, Israeli restrictions on their freedom of movement, and the ban on entering the Gaza Strip during the recent war. Clear professional shortcomings developed as a result, reflected in failures to provide comprehensive information, verify sources, or check for accuracy before publication or broadcasting.

Habib noted that the Palestinian Journalists' Syndicate (PJS) code of press ethics does set out ethical standards; human rights organizations have provided additional guidelines. Despite the media community's awareness and acceptance of these standards, they are not binding, and media members commit many violations. Habib acknowledged that journalists face unique and difficult challenges in their work, however. Other panelists pointed to a need to develop general principles and agreements to govern and provide a framework for the Palestinian media, which are increasingly diverse and differentiated. The framework would allow better coordination, communication, and cooperation among journalists that share a desire to provide sincere and honest news to the public.

Abdel Rahman expressed her view that Palestinian journalists try to follow professional standards, and are willing to sign a code of professional practice or abide by the code of ethics. However, providing honest, objective news sometimes means that journalists must clash with norms that limit freedom to cover certain issues, such as sex or religion. Private-sector journalists also self-censor to preserve their relationships with political parties or the advertisers that pay the bills. Thus, some journalists take the safer route and write only about the latest songs, movies, or soccer.

Shahin traces the weak commitment to the professional code of ethics to several sources: the PJS' lack of an active role, weak editorial management and structure at media outlets, and the tyranny of profits and advertising considerations over media decision-making. Meanwhile, the culture of

fear and polarization stemming from the political division continue to hamper journalists in covering violations in the West Bank and the Gaza Strip. Abdul Salam Abu Nada, a media consultant, analyst, and advisor, shared his view that Palestinian journalists work within the framework of their journalistic professionalism and specialization, and while they cannot be considered completely neutral—they do exhibit some Palestinian nationalism—in general, they are objective.

Over and above the widespread self-censorship in the Palestinian-Israeli conflict coverage, journalists practice self-censorship with social issues as well. Political issues receive priority, but media also face pressure to show that the Palestinian social fabric is not breaking down in the face of the Israeli occupation. Some media have played a role in whitewashing societal flaws and problems at the expense of addressing social topics such as domestic violence and sexual harassment.

The panelists found that the disorganized structures of many local, official, and independent or private media organizations have weakened their resistance to pressures resulting from the internal conflict. For example, the three daily newspapers lack strong editors-in-chief to formulate and implement editorial policy and strategic plans. In turn, those weaknesses undermine press professionalism and strengthen the grip that paid advertising holds over editorial policy and the number of pages in each newspaper. Khalifa added that self-censorship has replaced journalists' and editors' regard for regulations or professional ethics. The personal interests of the newspaper owners are clear; they favor advertisers over objectivity, and sometimes even pass over opportunities to cover topics if they have potential to affect certain businesses negatively.

Speaking as a Gaza journalist, Shamoan said that given that self-censorship is widespread and that the majority of media outlets in Gaza hold strong ties to factions or political parties, journalism cannot be considered honest, objective, or driven by professional standards. Often, only one point of view is presented—and no media outlet can claim to reflect a variety of points of view. Successive governments in the Gaza Strip have censored journalists, leading to a cloud of fear that has hampered press freedom and the general freedom of opinion and expression.

Hourani said that, overall, Palestinian journalists cover a range of topics honestly, but the media avoid some social issues—in particular religion and sex. Political corruption is often off-limits as well; when covering personalities, institutions, or political powers with significant influence, the media might address corruption in general terms only. Sometimes journalists are pressured by officials in their own media outlets not to publish something, or even discuss it

in general terms. Hourani cited issues concerning medical errors, private commercial companies, and corruption as examples. She noted that in covering issues relating to women, self-censorship as well as institutional censorship are stronger, and it is impossible to go beyond what the officials themselves feel comfortable discussing. In this regard, cultural norms and traditions sometimes inhibit journalists as well.

In terms of pay, journalists working at the daily newspapers complain of low wages, a lack of training opportunities to develop their professional capabilities, and poor job security—with many journalists working without contracts or clear provisions to protect their rights. Furthermore, the PJS provides no protection or assistance for journalists in defending their rights and developing their professional capabilities.

The panelists had different views on the balance between news and entertainment. Although Kraizim commented that the Palestinian media are focused primarily on news and the political situation, Shahin cited a general slant toward entertainment programming. He pointed to factors including underinvestment in the local media; poor professional standards; the dominance of advertising and commercial interests in the media; and a low level of domestic production of political, economic, and social programs.

In general, stations purchase entertainment programs from the Arabic-language and other foreign media, preferring them to news and cultural programs. Some local television and radio stations have managed to improve their own production of news and other programs, which show growing popularity in ratings. Meanwhile, the stations operated by political parties, particularly Islamic parties such as Hamas, tend to prioritize political news and religious programs over entertainment programs, for ideological reasons.

Khalifa disagreed that entertainment programming dominates. In his opinion, the growth of entertainment in the media is a relatively recent phenomenon, but remains below the desirable level in terms of space, quantity, and quality on television. Critical and hard-hitting entertainment programs have also appeared recently, he noted. He gave the example of the satirical program *Watan ala Watar*, which, in his view, suffers from an inability to innovate and create appropriate content and dialogue, and an inability to overcome professional and community ethical challenges.

Private Palestinian radio and television stations lack sufficient capital, which limits their development possibilities as well as leads to compromises in professional standards in order to please commercial interests. As a result, sometimes private outlets try to attract the public through entertainment programs and services, advertising, songs, and competitions.

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Furthermore, often religious and political programming is recorded without prior permission from Arabic-language and other foreign stations, reflecting the low professional capacity of those working in local radio and television stations. However, the panelists noted that some stations showed a few signs of improvement in performance during 2009.

Hourani said that facilities and equipment are relatively modern and effective, but subject to restrictions by the Israeli occupation. According to Nafie, the press in the Palestinian territories is changing and developing every day, and in fact possesses the necessary facilities and technological equipment to receive and broadcast news at the earliest possible moment. In Gaza, according to Habib, the media use relatively modern techniques, but the vulnerability of the equipment to damage and seizure by a number of agencies is a serious obstacle. In addition, import restrictions, high taxation, and outright bans have led to equipment not being readily available, and maintenance costs for such equipment are very high.

Shamoan added that the Palestinian press outlets depend on official information and data as their major sources; they conduct no investigative journalism because of the lack of freedom and the restrictions on information flow.

The panelists emphasized the need to improve conditions by easing restrictions. They called for the media to be allowed play a more significant role in monitoring the Palestinian Authority institutions, reporting on the community, and improving coverage of issues including corruption, the rights of women, and the poor and the marginalized. To create this type of environment—and uphold guarantees in international agreements—the increasing violations of media freedoms must come to an end, panelists said, with appropriate legislation to safeguard the rights of journalists. For their part, journalists must demonstrate a stronger commitment to professional standards and follow the professional code of ethics published in both the West Bank and the Gaza Strip.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Palestinian Territories Objective Score: 2.21

The panelists agreed that plurality exists in the Palestinian media, but more in terms of quantity than quality. The number of media outlets—especially television and websites—has increased noticeably since June 2006, during the period of internal division. According to the panelists, this increase was at least in part attributable to the enlisting of media in the intense internal conflict between Fatah and Hamas in the West Bank and Gaza. The panelists also expressed worries concerning the political and geographical division of Palestine and the negative effects on the plurality and objectivity of the media, and indeed on the very existence of independent Palestinian media.

As in 2008, the 2009 reports on local media coverage in the West Bank and the Gaza Strip showed the extent to which the conflict impacted media coverage and public freedoms. The reports detailed how the public (official) and party media in particular deviated from professional standards in their work, using provocative language that fueled the conflict and increased internal polarization so much that some media became platforms for bias and promoting political speech.

In regard to the plurality of news sources, Khalifa said that no one in Palestine, no matter what techniques he or she uses, could conceal information for long anymore. Because of the clear political plurality among Palestinians on the street, each party now has its own radio and television stations, periodical press, magazine, or web medium that reflects or presents

certain points of view. Often those media are influenced and directed, do not present the other side of the story, and serve only their own interests and policies.

However, the Palestinian public does not depend only on local media outlets as primary sources of information on Palestinian, Arab, or other affairs. The community depends mainly on Arabic-language satellite broadcasters and the Internet.

The panelists agreed that some Palestinian media better reflect the diversity of views and attitudes on the political spectrum, while others are partisan. Nafie said that the sector has various types of media—electronic, print, radio, and television—that are diverse in terms of their ownership, opinions, beliefs, and politics. Minorities, opposition groups, public organizations and parties, and various religious figures own media outlets also.

The Palestinian media field has seen extensive and significant horizontal growth since the establishment of the Palestinian National Authority in 1994. Since the outbreak of the bloody internal conflict between Fatah and Hamas in the wake of the parliamentary elections in 2006, three daily newspapers have been publishing in the West Bank, plus the Hamas party newspaper in Gaza. Of the four daily newspapers, *Al Quds* and *Al Ayyam* are private and independent, while the Palestinian National Authority partially supports *Al Hayat Al Jadida*, classified as a semi-formal newspaper. Israeli authorities prevent the distribution of these three newspapers in the Gaza Strip. Hamas publishes *Falasteen* newspaper in Gaza, and the Palestinian Authority has blocked its distribution in the West Bank since June 2007.

Hamas publishes *Al Risala* weekly newspaper in Gaza. Its distribution in the West Bank is also being blocked. Whereas *Al Quds* is published in the occupied city of Jerusalem and is subject to Israeli control, *Al Ayyam* and *Al Hayat Al Jadida* are distributed in the city of Ramallah under Palestinian law, which prohibits official censorship of the media. Contrary to international best practice, those newspapers follow a policy of strict secrecy regarding their circulation in the Palestinian territories, but estimates by the Palestinian Central Statistical Office and a number of survey centers suggest that the overall circulation of the three newspapers published in the West Bank does not exceed 50,000 copies a day.

A large number of radio and television stations broadcast as well. The Palestinian Radio and Television Authority provides broadcast services. In addition, the Palestinian public has access to a large number of satellite television stations that cover Palestinian affairs, and stations have local correspondents working for them in the Palestinian

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

territories. Al Jazeera and Al Arabiya in particular employ local correspondents.

Hamas has launched its own satellite channel, Al Aqsa, which has apparently been enjoying high audience figures but with no accurate information available as to what the figures are exactly. In 2009, Islamic Jihad launched its satellite channel Falasteen Al Yawm based in Lebanon. According to a survey by the Palestinian Central Statistical Office, in 2004, 29.3 percent of Palestinian families (21.6 percent in the West Bank and 45.1 percent in Gaza) that own television sets watch Palestine television on a daily basis. Also, according to the information available for 2004, including reports by the Moftah institute, 45 private television stations and 28 private radio stations were operating in the cities of the West Bank, and Gaza had eight private radio stations. Since 2006, the total number of radio stations has increased, even though some have closed down in the meantime. By the end of 2007, the number of stations in Gaza had reached eight.

Panelists Shamoan, Kraizim, and Habib pointed out that print, radio, and television media exist in Gaza, but currently, the Israeli occupation authorities ban entrance of newspapers printed in the West Bank (*Al Quds*, *Al Ayyam*, and *Al Hayat Al Jadida*). Moreover, the Hamas government in Gaza continues to block the official television channels and a number of radio stations and to impose restrictions on some websites. In addition, Hamas has blocked the distribution of the three West Bank newspapers in the Gaza Strip, in retaliation against the ban on its two newspapers, *Falasteen* and *Al Risala*, in the West Bank. Consequently, the ceiling on freedom and access to information is not high.

Abdel Rahman said that the best thing about the press in Palestine is the plurality of news sources, whether via satellite channels or open and uncontrolled websites. Furthermore, the Internet has made a quantum leap with the use of social media—especially blogging, which has become an open area for the public to express its opinions without fear or censorship.

Habib said that low incomes affect people's access to the Internet, but the most important problem is the lack of Internet connections as a result of the monopoly on telecommunications. However, all citizens are allowed to access foreign media—one of the most important sources of information and news. According to Abdel Rahman, the Internet has slipped past the blocks and barriers of the occupation and has circumvented the policies and prohibitions imposed by the two governments in the West Bank and the Gaza Strip.

*Furthermore, the Internet has made a quantum leap with the use of social media—especially blogging, which has become an open area for the public to express its opinions without fear or censorship.*

Shahin commented that although the official media has been open in covering certain political, economic, and social issues, it is still difficult to classify them as public media, given how close they are in their approach to the party media—expressing one-sided views in the internal conflict (as seen in its coverage of the Palestinian presidency, which places the public media in the West Bank under its control). Because of the silence from most Palestinian media people and organizations, especially the PJS, the differences between the official media and the party media are no longer huge, especially regarding the internal conflict and the increasingly sharp and deep divide between the parties.

Hamad recalled that Palestine Television had tried to host officials from Hamas and communicate with the other party in Gaza to exchange points of view. For example, the program *Al Makhsoof*, developed by a private company, invited Osama Hamdan, the leader of Hamas, and other leaders to appear on one of its episodes, but Hamas did not respond to the invitations.

The Palestinian territories have three principal news agencies: Wafa, the Palestinian public news agency; and Ramattan and MAAN, both independent agencies. A number of smaller agencies also operate. Regarding independent news agencies' collection and distribution of stories, Khalifa said that in the interest of minimizing costs, most local media rebroadcast the main news bulletins from various satellite channels, while others develop their news bulletins based on web sources rather than the news agencies. The panelists estimated that the vast majority of media outlets do not use international news agencies or well-known local media services. Based on that estimate, panelists said that one could deduce that professionalism and credibility in the media are low and scarcely meet the needs of ordinary citizens.

According to Shamoan, journalists depend primarily on either government sources or political organizations and parties as their news sources. At the same time, journalists marginalize human rights organizations that monitor actual developments, tending to turn to such organizations only for data about specific incidents. Yet, she observed, if journalists

took proper advantage of these resources, they would tap a wealth of valuable information to use in press reports.

Abdel Rahman noted that the Palestinian media still suffer from the predominance of political issues, but this is somewhat understandable given the unusual Palestinian situation. In addition to their political programs, the media broadcast some social programs of varying quality, but they still have shortcomings. They offer little coverage of marginalized groups, such as youth and the disabled; religion, such as Halal and Haram; poverty; the growing severity of violence against women; or the absence of the feminist point of view from the political scene.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Palestinian Territories Objective Score: 1.78

Abdel Rahman emphasized that the media is still on the margins of industry; it is not yet capable of contributing significantly to national income. Although Palestine is a veritable factory for news, stories, and tales, others profit from it, not the local media. They suffer in their dealings with outside media as if they were not-for-profit civil society organizations. Attempts to change this status have failed, as the sector is financed haphazardly from abroad—making it more dispersed, aimless, and unfocused when seeking investment from local resources. Instead, it focuses on raising funds from foreign sources, and on repeated capacity-building programs for media professionals in subject areas of marginal importance.

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Despite the undeniable growth in the Palestinian economy through foreign aid to the West Bank government, the panelists characterized that growth as fragile, given the procedures and restrictions applied under the occupation, the faltering peace process, and the continuing internal division. Local and international reports alike show that the economy still suffers from relatively high rates of unemployment and poverty. The business environment falls far below the level that could sustain the current level of investment from internal resources, let alone attract new investment. Therefore, government spending remains the main locomotive of the economy, and as a result, any delay from the international financial backers in paying their commitments is reflected immediately in the form of a domestic financial crisis.

The relative economic upturn in the West Bank was not reflected in the Gaza Strip, where the continuing Israeli blockade has led to an unprecedented downturn in economic activity—or, according to some panelists, economic collapse. By late 2008 and early 2009, the Israeli war on Gaza had caused immense damage to the economy there, with poverty and unemployment rates hitting unprecedented levels.

In addition, government policy in the West Bank remains focused on enabling the private sector to operate efficiently—regardless of the prevailing situation of many years, in which the government bore the bulk of the burden. The government hopes that increased private sector activity will help boost public revenue as well, enabling the government to allocate more resources to development projects. However, the Israeli war on Gaza has been a blow to the government's economic and development plans. The war forced the government to spend a large volume on emergency spending—about \$300 million in the 2009 budget.

The continued economic and financial blockade imposed on the Gaza Strip, together with the large-scale Israeli destruction of civilian infrastructure and economic facilities during the war, proved fatal to an already fragile economic structure. Severe damage was inflicted on the private sector in the Gaza Strip, with most industrial facilities closed down and workers laid off. The impact on the advertising market and on private media outlets during 2009 was severe. The effects of the recession were only temporarily balanced by the buoyancy in the advertising market in the West Bank, the government's payment of debts for official announcements in newspapers and other media in the West Bank, and payments to publishing and printing houses for printed textbooks and government publications.

Furthermore, the print media, especially newspapers, suffered losses as a result of high printing and distribution costs. To cope, some newspapers resorted to laying off workers

and neglecting upgrades to their facilities and equipment. Workers who kept their jobs had to make do without raises to match the soaring cost of living, which aggravated pressure on owners, managers, and employees alike.

The panelists emphasized that private media are profit-minded, but they have limited ability to turn enough profit to manage their businesses effectively or to plan upgrades to their equipment and professional capabilities. Many factors contribute to their limited profitability, including their weak institutional structures, the Israeli blockade and restrictions on movement of people between the West Bank and the Gaza Strip, rising poverty, and blocked newspaper distribution to the Gaza Strip.

In addition to those difficulties, the Palestinian media market is small, and continues to face extremely tough competition from regional Arabic-language outlets and other foreign media. In light of the unstable political situation, the severe economic siege on the Gaza Strip, and Israeli occupation policies and practices, domestic investors have expressed hesitancy to invest in the media sector. Advertising income is insufficient to cover the private media's costs. Some local newspapers, especially *Al Ayyam* and *Al Quds*, own their own printing presses, which they operate commercially to provide another critical revenue stream.

Shahin observed that the pressure on the media continued during 2009, especially for the newspapers prevented from distributing in the Gaza Strip. That blockade led to a decline in overall circulation and a loss of advertising from the Gaza Strip. The same applied in reverse for the daily newspaper *Falasteen* and the weekly *Al Risala*—published in Gaza and prohibited from distributing in the West Bank. Further, some newspapers in the West Bank declined in circulation, either because of inefficient distribution policies or citizens' weakening purchasing power. The panelists speculated that the growing popularity of websites might be hurting newspapers as well, as online media outlets face fewer obstacles in delivering news to the public quickly. As a result, newspaper houses are starting to follow a policy of extreme secrecy about their sales and circulations.

Khalifa noted that the advertising community comes from a very different perspective, and advertisements—even television commercials—tend to lack imagination. The territories have no serious advertising agencies capable of capturing the public's attention, mainly because they fail to study or understand the needs of the public or the requirements of the market.

Determining true circulation figures is difficult. No organization is able to research radio and television audience ratings consistently for the local media, and the ratings that are published sporadically lack credibility. For the local

*The panelists emphasized that private media are profit-minded, but they have limited ability to turn enough profit to manage their businesses effectively or to plan upgrades to their equipment and professional capabilities.*

newspapers, without exception, those in the lead do not reveal accurate figures for printing, sales, or distribution, or for the number of returns.

Kraizim agreed that there are no correct, unbiased numbers for printing, distribution, or for broadcast audiences, mainly because there is no law requiring media outlets to disclose such numbers. Abdel Rahman added that television audience figures, newspaper circulations, and radio ratings are kept so quiet that not even the people working at those media outlets are given such information. Some media organizations use their volume of advertising as a yardstick, but this is too subjective to provide an accurate reflection.

Abdel Rahman said that although the advertising market in Palestine is expanding and developing significantly, some entities still lack awareness of the importance of advertising in promoting their product, while others cannot afford the costs of advertisements because of the economic situation. As a result, revenues from advertising are not sufficient to cover costs.

Shahin warned that fluctuations in the advertising market—depending on the degree of political uncertainty and stability, and the continued blockade—have affected media incomes and limited their ability to plan for expansion, upgrade their capabilities and equipment, or increase their employees' wages.

The panelists noted that even though advertising revenue may be dropping for local media, advertising is still a vital source of income. Some media outlets, especially newspapers, employ marketing professionals to seek out advertising, while others go through advertising agencies—especially agencies capable of creating advertisement campaigns for international companies, which pay more than local companies.

Shamoan expressed the view that advertising, whether in the printed media or on radio or television, has not achieved the required level of development, and it bears no comparison, for example, to the Egyptian media. In her view, it is possible that interest in advertising's potential as source of profit has emerged only recently.

*During 2009, internal divisions continued to affect the union. Its chair, considered loyal to the Palestinian National Authority, continued to denounce the violations of freedom of the press by the Hamas government in the Gaza Strip, while criticizing only some of the violations committed by the Salam Fayyad government in the West Bank—and even then, only diffidently.*

## **OBJECTIVE 5: SUPPORTING INSTITUTIONS**

### **Palestinian Territories Objective Score: 2.10**

Panelists noted that the Palestinian territories have federations or associations for publishing and printing houses, and for advertising houses, but they are considered newcomers and do not yet perform effectively. There is also an association of private radio and television stations, a press association, and an association for advertising professionals, but for now they are very weak.

By the end of the year, with new elections approaching, signs emerged of attempts to revive the role of the PJS. But other than issuing statements condemning certain acts of violence, the union took no practical steps to defend the freedom of the press and the freedom of journalists to do their work. Such weak response—in a year with unprecedented violations against journalists and media outlets—lowered the union's

#### **SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.**

##### **SUPPORTING INSTITUTIONS INDICATORS:**

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

credibility in the eyes of journalists, who say that they do not believe that the union provides any significant services.

The media community raised doubts also about the true motives behind the elections, amid signs that the union might fall under the thumb of political influences—especially Fatah. Journalists fear that this could disrupt efforts to reform the PJS to become a truly independent body that would be able to protect journalists and improve their working conditions.

During 2009, internal divisions continued to affect the union. Its chair, considered loyal to the Palestinian National Authority, continued to denounce the violations of freedom of the press by the Hamas government in the Gaza Strip, while criticizing only some of the violations committed by the Salam Fayyad government in the West Bank—and even then, only diffidently. Furthermore, the chair took no action at all when the security services refused to obey Supreme Court orders to release journalists that they had arrested.

Additionally, in the West Bank, the PJS adopted a conciliatory approach and played the role of mediator between journalists and the security forces of the Palestinian Authority. In Gaza, Hamas and its government continued attempts to subdue the PJS, seemingly to serve its own interests in the internal conflict. It rejected the attempts of a number of journalists to create a committee within the framework of the PJS to address reform and enhance the freedom of the media. While obstructing the formation of this committee, the Hamas government continued to take steps to limit media members from working freely, forcing journalists to apply for a special government card in order to perform their work. At the same time, journalists continued to be attacked and arrested.

Protest activities organized by journalists—often independent of the PJS—have been in decline since 2008. Civil society organizations and political figures offer only limited support for such activities. The panelists speculated that the decline in activity stems from a sense of frustration among journalists that their efforts to protest media violations have not been more effective, combined with the “culture of fear” from the escalating repression of civil liberties in the West Bank and the Gaza Strip.

Abdel Rahman commented that that the PJS does not represent all journalists, and it is uncertain whom it does represent. The PJS has held no elections for 15 years, whatever is claimed to the contrary, she said. She added that the chair has been brought to court on charges of corruption and mismanagement, and the PJS needs to hold elections promptly—and before that, it needs to define who journalists are and who deserves membership in the PJS. However, Shahin noted that any elections might fall victim to

the tyranny of political considerations over professional and PJS interests.

Shamoan spoke of the need for journalists to work together to establish an independent and professional press union and protect it from political influences in any election that might take place. Hourani said that professional associations for journalists, writers, and various other groups of professionals are in operation, but they suffer from a lack of democracy and transparency. In addition, many do not hold regular elections, leading some to question how well they represent the interests of the people they purport to help.

Hourani said that several NGOs are focused on the media sector in Palestine, and Shamoan said that NGOs are steadfast in their support and stand with the media to uphold the freedom of expression and independence of the media. The NGOs are active, too, compared to the situation in the Palestinian private media. In Abdel Rahman's opinion, although NGOs are supporting the media sector through capacity-building programs and monitoring media performance and bias, it would not be appropriate or desirable for these NGOs to work as a substitute for the PJS.

Some NGOs provide training and vocational services for journalists by organizing short-term courses, but they do not cover all relevant disciplines, according to Hourani. Abdel Rahman said that NGOs should be held to account for concentrating on financing the same training programs, which journalists find thoroughly boring because they have already been exposed to the information.

Abdel Rahman expressed the opinion that Palestinian universities offering journalism programs and studies are very effective. She and the panelists agreed that the Palestinian National Authority does not exercise any restrictions on the study of journalism and media. The most important problem is the lack of coordination between the colleges and the media. Add to that the lack of scientific studies indicating what media the local market can sustain, and the result is a supply of media graduates that outstrips the demand. Abdel Rahman said that given the lack of job opportunities, not many graduates want to work in the press; female media graduates in particular tend to seek work outside the media.

Habib said that media houses are concerned about training their staff, but training efforts are subject to circumstances and logistical and political obstacles outside the profession's control. Media members have ample opportunities to obtain practical training and certificates from abroad, but they are often subject to external limitations as well.

Hamad added that most media outlets allow employees to enhance their practices either by providing internal training courses or encouraging employees to accept outside training

opportunities in media skills and freedom of the press. In general, civil society and relevant international institutions present in Palestine, along with Palestinian universities, show interest in improving the quality of journalism.

Panelists noted that the Palestinian National Authority does not have or run any printing presses, since sufficient printing presses belong to the private sector, although some political parties own their own printing presses as well, and refuse to print for other parties. Printing companies do not face any restrictions in their work, except in terms of the repercussions of the state of division.

## List of Panel Participants

**Lama Hourani**, women's rights activist, Ramallah

**Rawan Hamad**, media activist, Ramallah

**Hani Habib**, writer and news analyst, Gaza

**Khalil Shahin**, political analyst; editor-in-chief, *Al Ayyam*, Ramallah

**Abdul Salam Abu Nada**, media consultant and analyst, Ramallah

**Yahya Nafie**, director, Ajyal Radio, Ramallah

**Hidaya Shamoan**, writer; media coordinator, Women's Affairs Center, Gaza

**Mohammad Kraizim**, media activist, Gaza

**Mahmoud Khalifa**, writer and political analyst, Gaza

## Moderator

**Wafa' Abdel Rahman**, director, Filastiniyat, Ramallah

## Author

**Khalil Shahin**, writer, editor and analyst, *Al Ayyam*, Ramallah

*The Palestinian Territories study was coordinated by, and conducted in partnership with, Filastiniyat, Ramallah.*

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*Judging from the comments of this year's panelists, apparently Syria has not improved but returned to its repressive status quo.*



SYRIA

Although Syria's overall score improved modestly in 2009, widespread government oppression continues to challenge the independence and sustainability of the Syrian press. Syria has neither independent unions to defend journalists nor the legislative framework to protect and encourage freedom of speech. The Baathist regime maintains total control over Syrian media, and while red lines shift sometimes, nearly all journalists practice self-censorship to avoid persecution.

While the Syrian constitution protects freedom of speech and the press, these rights are circumscribed by the country's Emergency Law, which in practice places significant limitations on the media. In 2009, journalists who crossed the official party line were arrested, fired, or subjected to travel bans and hefty fines. Likewise, authorities shuttered newspapers and broadcast outlets that violated unspoken restrictions, justifying the acts by arguing that journalists' work is a threat to national security or an affront to national values.

MSI panelists scored Syria at 0.94 overall, keeping the country in the "unsustainable, anti-free press" category. While that score is an improvement from Syria's 0.79 score in 2008, the difference is more indicative of the severity of the government's 2008 crackdown than real improvements in 2009. Judging from the comments of this year's panelists, apparently Syria has not improved but returned to its repressive status quo.

The scores on each of the five objectives reflect this reality. Most teeter on the line between "unsustainable, anti-free press" and "unsustainable, mixed system." The panelists scored only Objective 2, professional journalism, solidly above 1.00. This bespeaks a general feeling among panelists that journalists in Syria are trying hard to produce professional reporting within government-imposed constraints.

That said, the system of state control is clearly apparent at all levels of the journalistic process, from editorial decision making to distribution. The system ensures that improvements in Syria's media sector remain marginal at best.

*Note: MSI panelists in Syria agreed to participate only if they were not named publicly. Rather than hold a group discussion that might call attention to panelists' participation in the study, the chapter is based on responses to individual questionnaires and the moderator's individual interviews with the panelists.*

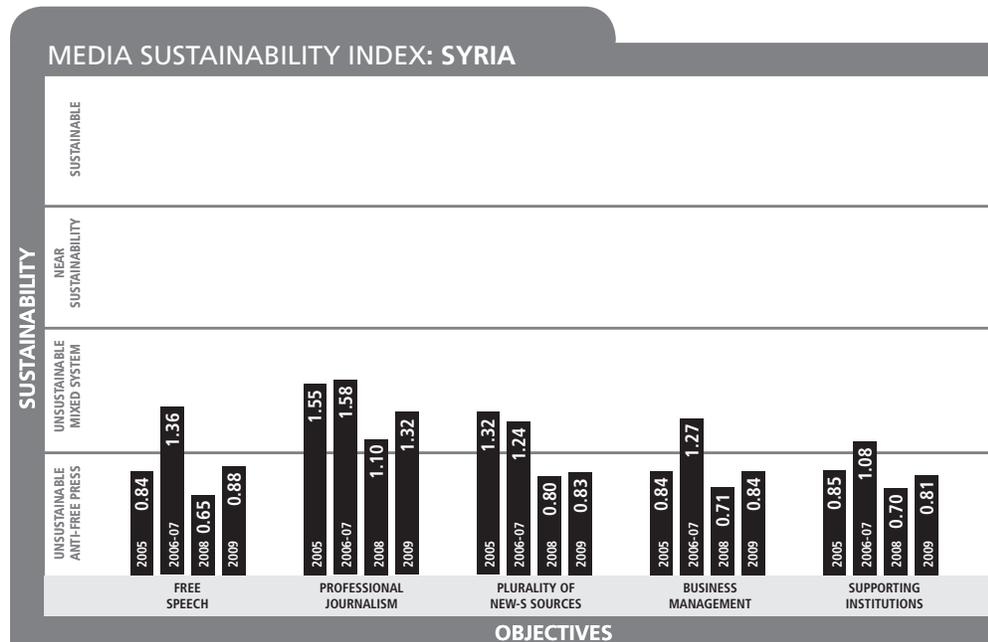
# SYRIA AT A GLANCE

## GENERAL

- > **Population:** 22,198,110 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Damascus
- > **Ethnic groups (% of population):** Arab 90.3%, Kurd, Armenian and other 9.7% (2009 est., *CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 74%, other Muslim (includes Alawite, Druze) 16%, Christian (various sects) 10%, Jewish (small community) (2009 est., *CIA World Factbook*)
- > **Languages:** Arabic official and universally spoken. Some English and French in big cities. Kurdish in northeast. Armenian among small Armenian community. Aramaic among Assyrian Christians.
- > **GNI (2009-Atlas):** \$50.86 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$4,620 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 83% (UNICEF, 2009)
- > **President or top authority:** President Bashar al Assad (since July 17, 2000)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 8 state-run political daily papers, 3 private dailies, 150 magazines (though only half a dozen cover news and politics); Radio Stations: 3 state-run and 12 private; Television Stations: 2 state-run terrestrial, 3 state satellite channels, 1 private station.
- > **Newspaper circulation statistics:** There is no independent source for newspaper circulation. *Tishreen* claims circulation of both *Tishreen* and *Thawra* is around 80,000 copies per day. *Al Baath* claims to print around 25,000–30,000 copies a day.
- > **Broadcast ratings:** N/A
- > **News agencies:** Syrian Arab News Agency (state-owned)
- > **Annual advertising revenue in media sector:** Advertising is controlled by the state-run Arab Advertising Organization, which does not publish figures.
- > **Internet usage:** 4.469 million (2009 est., *CIA World Factbook*)



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Syria Objective Score: 0.88

Overall, the panelists agreed that despite the modestly improved 2009 score for the freedom of speech objective, the highly restrictive Syrian media environment experienced little fundamental change from 2008. And, despite the improvement, the score still falls within the “unsustainable, anti-free press” scoring definition.

While the Syrian constitution guarantees freedom of speech, the country’s Emergency Law supersedes the constitution by placing significant limits on the country’s press and strictly prohibiting the publication of “false information that opposes the goals of the revolution.” In practice, the law gives the ruling Baathist regime absolute power to define what equals illegal expression.

The media is also subject to a highly restrictive press law passed in 2001. Journalists who “attack the prestige and dignity of the state, national unity, or army morale,” the “national economy,” or the “security of the currency” can face up to three years of imprisonment or fines of up to SYP 1 million (\$22,000). In 2006, prominent journalist Michel Kilo was sentenced to the full three-year term for “weakening national sentiment” after he sponsored the Damascus Declaration, which called for greater democracy and improved relations with Lebanon. He was released in May 2009. And on March 15, 2009, writer and political analyst

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Another panelist said, “News about Kurdish protests during their annual Neyrouz holiday could by no means be published in local outlets, regardless of whether the content fully supported or condemned the government’s policy and regardless of if it was locally produced or reproduced from foreign news reports.”*

Habib Saleh was sentenced to three years of imprisonment for “spreading false information” and “weakening national sentiment” after he wrote a series of articles criticizing the government and defending opposition figure Riad al Turk.

Authorities shut down media outlets with impunity. In February 2009, Syrian security forces closed the religious television station Al Daawa and confiscated all of its equipment only three months after the station officially opened. The channel was forced to announce that it had elected to stop broadcasting of its own free will.

In July, Orient TV became the third private television station to have its Syria offices closed down without an official explanation. Broadcasting from the United Arab Emirates with reporters inside Syria, the station had previously avoided domestic media restrictions. Observers suggested that the closure was a response to the station’s popular talk shows on social, economic, and cultural issues, and that authorities viewed it as a podium for civil society. The closure left Al Dunia as the single remaining private television station in Syria.

The government uses travel bans also to silence journalists. The Syrian Center for Media and Freedom of Expression issued a report in February 2009 listing 417 political and human rights activists banned from traveling outside Syria. By September, the center was closed down.

In May 2009, a draft of a new Internet media law was made public. As one panelist explained, the law would grant broad new censorship authority to multiple government entities. “Under this draft, the cabinet has supreme power to control and supervise online media, while the Minister of Information has the authority to block any online publication without explanation,” the panelist said. One of the draft’s provisions stipulates that authorities would be allowed to try online journalists before criminal courts, which could lead to the imposition of lengthy jail sentences. Another provision, contained in article 41, would allow the police or any judicial entity to investigate and arrest online journalists suspected of

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*The panelists reported that security services regularly recruit informants from media organizations to gather information.*

breaking the law. The new statute is expected to come into effect by presidential decree in early 2011.

Unexplained and arbitrary dismissals are other tools that the regime uses. Maan Aqil, a journalist with the government daily *Al Thawra*, was arrested on November 22, 2009 without any official charges. When he was released three months later, the paper dismissed him. On August 13, the Ministry of Information banned freelance journalist Ibrahim al Jaban from working for Syrian satellite state television channel Al Suriya and from producing further episodes of the program *Al'Alama Al Fariqa*. The ministry gave no justification for the decision.

Prohibited "red line" topics in Syria often change in accordance with the political climate and the state of the regime's relations with Western countries. Several core prohibited subjects remain constant, including the president, military, ethnic minorities, and relations with other countries in the region, particularly Lebanon, Iraq, Saudi Arabia, and Iran. "Nothing can protect journalists who cross these red lines," said one panelist.

Even senior figures in state-run newspapers can run afoul of powerful interests. One panelist gave the recent example of the editor-in-chief of a state-run daily that published an article exposing a deal to sell rancid meat to consumers. When the business owner at the center of the shady sale found that he could not bring a lawsuit against the editor, he used his network of contacts to have him sacked instead.

Another panelist said, "News about Kurdish protests during their annual *Neyrouz* holiday could by no means be published in local outlets, regardless of whether the content fully supported or condemned the government's policy and regardless of if it was locally produced or reproduced from foreign news reports." But, according to another panelist, blatant "crimes against journalists are rare" because "journalists are clever enough to avoid taboo issues."

In addition to the labyrinth of laws and government regulations, Syrian journalists also face restrictive cultural norms. Religious and tribal conservatism have been hardened

through four decades of police state rule and work against freedom of expression. "Sometimes social norms prevent freedom of speech more than legal regulations," argued a radio journalist on the panel. "In my work, I have encountered this situation, especially when trying to discuss issues such as the face veil, homosexuality, abuse against women, and divorce. The management, which are usually not from a media background, prevent me from discussing these issues on air, saying they must take into consideration the acceptable norms of society."

Access to public information became even more limited in 2009, with a cabinet mandate that forbids civil servants from providing information to journalists without prior approval from the minister of the department, even if the information is not secret or sensitive. "A written request should be sent to the minister for approval, explaining the reason for asking for this information and stating where it will be published," explained one panelist. As a result, often journalists have to resort to personal contacts or bribes to acquire the information they need.

The panelists reported that security services regularly recruit informants from media organizations to gather information. "Anyone can practice journalism, regardless of his or her educational background," one panelist said. "This has allowed the entry of non-journalists, who are used by the security services as their agents. These people work unprofessionally and unethically."

The cabinet controls media licensing and grants licenses to Syrian Arabs only. As a result, large minority groups, such as the Kurds, do not have access to media in their own languages. Licenses are also subject to approval by security services. Entertainment outlet applicants are much more likely to be granted licenses than those applying to broadcast or publish news. Licenses for private media go overwhelmingly to powerful business figures seen as supportive of the government.

Media outlets have relatively unrestricted access to international news agencies and sources, but re-publication of stories related to Syria are subject to the same highly restrictive laws as locally produced news.

Often foreign press correspondents in Syria are placed under surveillance by security services and have great difficulty obtaining accreditation. The Arab satellite news channel Al Jazeera, for example, has never been allowed to open a permanent bureau in the country.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Syria Objective Score: 1.32

Objective 2 received the highest score from the panel, largely due to Syrian journalists attempting to follow ethical guidelines. "Ethical standards are recognized and accepted by most media organizations," said an editor on the panel. "However, their adherence and actual implementation are sometimes lacking because of several factors, including low pay."

Journalists working for state media outlets earn around \$250 a month, which is not enough to support a family, the panelists reported. Almost all journalists take on a second job, such as driving a taxi. Most state journalists work for private media outlets as well, although this is prohibited technically. Often paid by the story, journalists in the public sector will sacrifice quality in order to turn out as many articles as possible. "Journalists try to produce the largest number of reports to maximize their income or get a scoop, even if that means not checking the validity of their sources," one panelist said.

In general, journalists in the small private sector earn more than in the public sector, but fringe benefits and limited working hours for civil servants make those jobs more desirable for many. "The concept of private media in terms of social security has completely failed," said one panelist. "Most journalists seek to be employed by the state media, which provides social security. When an opening for a job is announced at any public outlet, most journalists apply." Other panelists cited the state-run English-language daily

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

*"On-the-ground reporting and correspondence has diminished a lot, especially in preparing TV programs," a panelist said. "State TV prefers to cover a topic from inside the studio instead of investigating it on the ground."*

*Syria Times* as an example of the disparity. Although the paper closed its doors in June 2008, many journalists still receive a monthly salary and benefits.

Corruption, extortion, and blackmail are everyday features of the Syrian media landscape. To augment their meager incomes, some journalists and publications write favorable stories about wealthy business owners in return for advertising purchases. "Many publications do not interview businessmen or publish specific promotional news until they buy an ad in the publication or purchase the article," a panelist remarked.

According to a couple of panelists, some journalists have even resorted to blackmail, taking payments to keep quiet about a damaging story. One panelist cited the specific example of an online publication that blackmailed the Damascus Free Zone Authority by threatening to publish a report detailing corruption in car trading within the authority. "The Free Zone Authority had to buy the report to keep it from being published. After that, a car dealer was also obliged to buy ad space in the online publication to stop it from attacking his business."

Self-censorship is widespread at all levels of the media. "The journalist practices self-censorship while writing and proofreading a story, while the editor-in-chief practices censorship before the story is sent to print," said a panelist.

Local media might only tackle a subject they deem sensitive after the topic has been made public by a foreign media organization. Panelists gave the example of the devastating drought that hit eastern parts of Syria in 2009. While local media focused on the activities of the new Damascus Opera House, they largely ignored the plight of millions of ordinary Syrians until reports emerged in foreign media, including IRIN, the UN's humanitarian news agency, and Dutch Arabic-language radio. The coverage gave local media a perceived green light, but even then, the main local coverage of the drought came from *Syria Today*, an English-language publication owned by a Syrian businessperson and staffed by a mix of local and foreign journalists.

*One panelist described the state-owned media in this way: "The three state-owned newspapers, Tishreen, Al Baath, and Thawra, are similar in the way they present news. They rely mainly on one source, SANA, which supplies these newspapers with stories and information that supports the policy of the government."*

Syria's Objective 2 score was also boosted by the recognized improvements in the quality of equipment available to journalists. The panelists reported that the upgrades were largely the result of an \$8 million technological grant for Syrian state television and radio from Dubai Media Incorporated. Despite the improved equipment, at least one panelist lamented the continued absence of field-based broadcasting. "On-the-ground reporting and correspondence has diminished a lot, especially in preparing TV programs," a panelist said. "State TV prefers to cover a topic from inside the studio instead of investigating it on the ground."

**OBJECTIVE 3: PLURALITY OF NEWS**

**Syria Objective Score: 0.83**

The panel consensus was that the press is neither pluralistic nor objective, although ostensibly Syria has a variety of state-run media outlets and a handful of privately owned media outlets, all of which offer products that are affordable and widely available. All panelists agreed that no truly independent news agencies operate in Syria. Although foreign agencies such as Reuters and DPA are present, red lines and self-censorship prevent even foreign journalists from tackling issues openly. Journalists in the public sector depend heavily on the state-run Syrian Arab News Agency (SANA), the country's only news agency, for information.

One panelist described the state-owned media in this way: "The three state-owned newspapers, *Tishreen*, *Al Baath*, and *Thawra*, are similar in the way they present news. They rely mainly on one source, SANA, which supplies these newspapers with stories and information that supports the policy of the government." Syrians are well aware that the local media are largely mouthpieces for the regime and do not trust them, according to one panelist.

Foreign-language newspapers are available only in Damascus. Outside the capital, often papers may arrive a day late, even in major cities. Several major Arabic newspapers, such as Lebanon's *An Nahar*, Saudi Arabia's *Asharq Al*, and *Al Quds Al Arabi* are banned from Syria because of their political stances.

Private media organizations, though not as reliant on SANA as the state-run outlets, cannot present a true diversity of opinions if they want to continue operation in Syria. One panelist noted, "In early 2007, private TV and radio stations began broadcasting in the country after years of state monopoly. However, this plurality in media channels was not accompanied by a plurality of news and information. Internal and external censorship remained effective. Broadcasting programs about minorities or the real economic situation remain prohibited."

One panelist reported that the state media began to address social issues after private broadcasters Orient TV and Dunia TV did so. However, she said, authorities prevented Orient TV from airing a program on the Druze religious sect's belief in reincarnation. Shortly after, Orient TV's offices in Syria were closed and its staff threatened. Another panelist noted that authorities blocked programs dealing with honor crimes.

No real voice is given to minorities in Syria, the panelists agreed. Issues of ethnic rights are viewed through a political rather than cultural or social prism. "Minority-language information sources are prohibited due to politics and because 'Arabism' is the slogan of the ruling party," said one panelist.

**MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.**

**PLURALITY OF NEWS SOURCES INDICATORS:**

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

The Internet has offered Syrians a unique opportunity to slip from the binds of their restrictive state. Nine years after Syria opened up to the Internet, the country has millions of Internet users, but only 861,000 subscribers, according to the Syrian Telecommunications Establishment. The majority of Syrians access the Internet via cafés, the establishment reported.

At least 150 websites remain blocked, including the majority of sites run by ethnic minorities or political movements perceived to be opposed to the regime in Damascus. Social networking sites including Facebook and YouTube remain blocked, but Syrians have become adept at using proxies to circumvent the ban.

As well as opening up new sources of information, the Internet has also provided Syrian bloggers with an opportunity to share their opinions. Unfortunately, like mainstream journalists, bloggers are arrested regularly and prosecuted as a result of the content they publish. On September 13, 2009, the Supreme State Security Court sentenced blogger Karim Arbaji to three years in prison on charges that he spread “false information that can weaken national sentiment.” Arbaji was the moderator of akhawiya.net, a popular online youth forum that contained criticisms of the government. In December, security forces arrested blogger and high school student Tal al Mallohi, 19, after she published poems and articles commiserating with Palestinian refugees.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Syria Objective Score: 0.84

The “unsustainable, anti-free press” rating panelists gave to Objective 4 reflects the weakness of the media sector generally and the failure of the advertising industry specifically. In large part, media outlets face difficulty generating advertising revenue because citizens do not trust the media and because most outlets fail to perform the necessary market research to help expand their businesses.

The development of a healthy, competitive media sector in Syria is undercut further by a system of politicized taxes and subsidies. Outside of Damascus’ economically liberal Free Zone, the government requires private media to turn over 25 percent of all advertising revenue to the state-run Arab Advertising Organization (AAO) and pay a 40 percent tax to the state-run Syrian Company for Distribution (SCD).

The Publishing Law of 2001 contains an article that prohibits media outlets from generating revenue by selling advertising space to foreign governments. Inside the Free Zone, private

*“Only small media outlets depend on ads and circulation revenue to sustain themselves,” said a panelist.*

media such as *Syria Today* and *Al Watan* must pay taxes to AAO only for Syrian advertisements or foreign advertisements that mention a Syrian name. The tax payment to SCD remains the same. Online publications pay no tax currently, but will be obliged to do so when the new online media law is introduced.

High taxes and restrictions that force media outlets to deal with the state monopoly mean that most outlets cannot survive on advertising alone. “Only small media outlets depend on ads and circulation revenue to sustain themselves,” said a panelist. “Big private publications depend on financing from powerful people or government subsidies. There is no organized advertising market in the country because the media industry is unprofessional and has no real power over citizens.”

Additionally, private and state-owned media both receive government subsidies. As one panelist put it, “State media enjoy all kinds of printing and financing assistance that ensure their circulation. Private media also receive government subsidies in the form of ads purchased by public institutions—which we call ‘the political ads’—or in the shape of grants, mostly coming from unknown donors.”

The panelists also explained that often a publication’s political standing influences its tax obligations. “The tax rate is governed by how satisfied the authorities are with a

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

*“Even a driver in a state outlet is a member in this union, but independent and private-sector journalists cannot join,” a panelist noted.*

specific media outlet. If the authorities are satisfied, then the media outlet can get preferential treatment in the taxes that it pays,” one said.

Radio and television outlets do not receive subsidized advertising like the print media. Panelists reported that the expense of running a private television channel makes it more of a hobby for the well-heeled than a viable business. “Private TV stations are mainly owned by big businessmen, due to the high operating costs,” said a panelist. “These stations are intended to serve the interests of these businessmen, rather than generating profit from ads.”

No panelist could think of an example of market research undertaken by Syrian media that has produced reliable ratings or circulation statistics. The sole legal authority responsible for conducting national surveys and studies is the Central Bureau of Statistics, which had not conducted any research on the media as of 2009.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Syria Objective Score: 0.81

Syria’s only official journalist union, the Syrian Journalists Syndicate (SJS), is affiliated with the ruling Baath party. Union membership is required for journalists to work legally in Syria, putting many in a difficult position. Because laws governing SJS predate the introduction of private media, journalists working in the private sector are excluded from membership and thus are illegal technically. Independent journalists and journalists from minority communities are precluded from membership.

Application for union membership, as with many professional organizations, is subject to security service background checks. Approval is predicated on support for the regime more than any professional qualification. “Even a driver in a state outlet is a member in this union, but independent and private-sector journalists cannot join,” a panelist noted.

Under Syrian law, no union other than SJS is allowed to represent journalists. Many of the panelists complained that SJS takes membership fees but does little if anything to protect the rights of its members. According to a panelist,

“the union has never demanded the release of any journalist jailed by the security forces.”

In September 2009, security forces closed the office of the Syrian Center for Media and Freedom of Expression (SCMFE), which was the only Syrian organization specializing in monitoring Syrian media and reporting violations against local journalists. Like other human rights NGOs, SCMFE’s repeated requests for a license were ignored by officials, and as a result, the center was considered an illegal organization. The National Organization for Human Rights, another independent Syrian NGO, brought a court challenge against the Ministry of Social Affairs and Labor regarding the ministry’s decision to deny the organization’s registration application. In response, the ministry called for the organization’s members to be prosecuted.

Alongside a handful of embattled NGOs, an equally small number of human rights lawyers work to defend the rights of journalists. They too face severe persecution. On October 14, security forces detained prominent human rights lawyer Haytham al Maleh following his appearance on a London-based, Syria-focused opposition television station in which he criticized the ongoing repression of freedom of expression in Syria. He has since been sentenced to three years in prison for “spreading false news that could weaken the national morale” and reportedly is gravely ill after being denied access to medication for his diabetes.

The Baath regime also retains a monopoly on publishing and distribution companies in Syria. Under the Publishing Law of 2001, all material to be printed must be submitted to the Ministry of Information for approval prior to publication. “All printing facilities are directly or indirectly under the control of the government,” one panelist pointed out. Another

## SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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related the story of *Al Domari*, a satirical weekly that in 2003 was forced to print in the state-owned *Al Baath* newspaper's printing facility. The paper's license was subsequently revoked after it refused to publish for three consecutive months, in protest.

The panelists reported some improvement in journalism training in Syria. Until recently, the only affordable access to journalism training was through joining the Information Department at the state-run University of Damascus. That path included little practical experience, but a journalism department has been established recently that offers a more comprehensive curriculum. "This new department is equipped with modern facilities and technology that should help students acquire practical skills while still in school," said one panelist. However, the panelists expressed doubt that any improvement in equipment and training for local journalists will translate into a significant improvement in the foreseeable future for Syria's hamstrung media.

## List of Panel Participants

*Note: MSI panelists in Syria agreed to participate only if they were not named publicly. Rather than hold a group discussion that might call attention to panelists' participation in the study, the chapter is based on responses to individual questionnaires and the moderator's individual interviews with the panelists.*





**GULF**

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*The Minister of Culture and Media, who succeeded Bu Kamal, issued a decree to block a number of politically oriented websites beginning in the second quarter of 2009.*



BAHRAIN

Rapid and unexpected events witnessed in late 2008 influenced media sector performance in 2009. The bottom line result was considered by some as a setback to the freedom of expression. Meanwhile, the severe global financial crisis that started in the last quarter of 2008 continued to impact the media as stifled business activity in turn contracted the advertising market, which is the main source of revenue for most media.

Media circles were surprised when Information Minister Jihad Bu Kamal was fired from his post after only one year following the broadcast of a television program where the secretary general of the liberal National Democratic Action Society (Waad) criticized the failure of the Financial Audit Bureau report the Royal Court's budget in a live interview. The weekly program that hosted Waad's secretary general was also changed from a live to a recorded program.

The Minister of Culture and Media, who succeeded Bu Kamal, issued a decree to block a number of politically oriented websites beginning in the second quarter of 2009. This decree obliges all telecommunications companies and Internet service providers to block more than 60 designated websites.

Journalist solidarity declined in the face of the sectarianism that beset the country since last year. The website launched in August 2008 that established a code of ethics for anti-sectarian websites in the wake of journalists' enthusiasm and desire to fight sectarianism was closed. Among other issues, the founders of the website attributed this failure to the fact that the Ministry of Information declined to sign on as a supporter after having initially blessed the initiative.

Bahrain's launch of a Freedom of the Press award and a Social Press award represented two of 2009's positive initiatives. The King of Bahrain gave special attention to World Press Freedom Day, giving an address on the importance of the freedom of speech on the 70th anniversary of the establishment of Bahrain's first newspaper.

On the legal level, the year did not witness the passing of any of the draft laws aimed at improving the Press Code and laws on broadcast media; these have been shelved since 2006. Without better laws in place, the unfavorable media conditions have resulted in a number of veteran journalists changing to more professionally and financially satisfactory careers. This exodus jeopardizes the storehouse of skills in the profession and the ability to transfer those skills to a new generation of journalists.

The media also suffered from the prevalence of political and sectarian affiliations to the disadvantage of professional standards and neutrality. The preoccupation of media outlets with competition and failed attempts to overcome unstable financial conditions further prevented them from improving professionalism.

# BAHRAIN AT A GLANCE

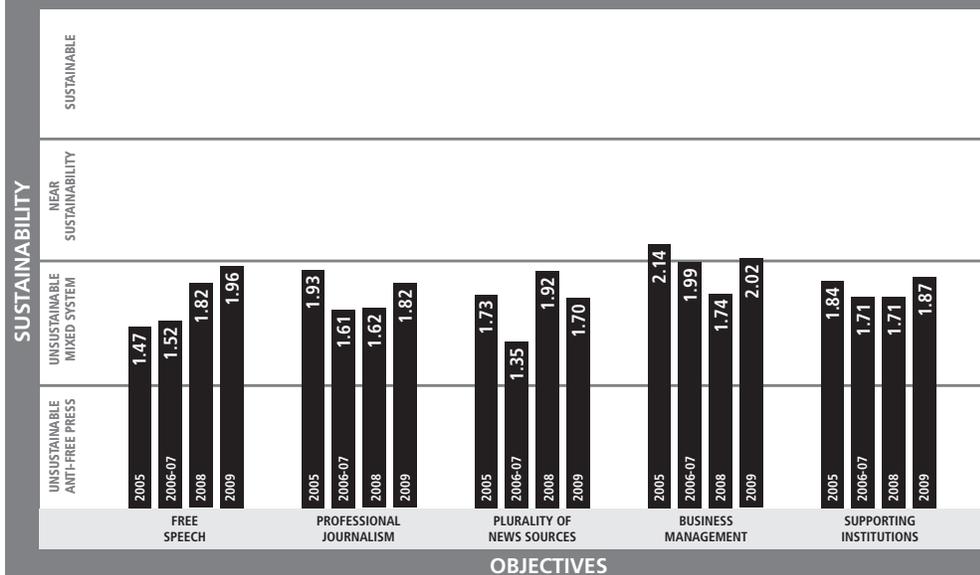
## GENERAL

- > **Population:** 1,214,705 (including 235,108 non-nationals) (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Manama
- > **Ethnic groups (% of population):** Bahraini 62.4%, non-Bahraini 37.6% (2001 census, *CIA World Factbook*)
- > **Religions (% of population):** Muslim (Shi'a and Sunni) 81.2%, Christian 9%, other 9.8% (2001 census, *CIA World Factbook*)
- > **Languages:** Arabic, English, Farsi, Urdu (*CIA World Factbook*)
- > **GDP (2007):** \$15.8 billion (UNDP Human Development Report, 2009)
- > **GDP per capita (2007-PPP):** \$29,723 (UNDP Human Development Report, 2009)
- > **Literacy rate:** 86.5% (male 88.6%, female 83.6%) (2001 census, *CIA World Factbook*)
- > **President or top authority:** King Hamad bin Isa al Khalifa (since March 6, 1999)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 6 main daily papers; Radio Stations: 1 radio station owned by the Bahrain Radio and Television Corporation offering different programming on eight channels; Television Stations: One TV station with five different channels along with the main satellite channel, Bahrain TV.
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al Ayam*, *Al Meethaq*, *Akhbar al Khaleej*
- > **Broadcast ratings:** N/A
- > **News agencies:** Bahrain News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 419,500 (2009 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: BAHRAIN



**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Bahrain Objective Score: 1.96

The year 2009 has seen little action on amendments to the law regulating the press, printing and publishing, which has been kept in Parliament's drawers for more than five years. The media sector looks forward to Parliament's considering the mentioned amendments in 2010. Meanwhile, freedom of expression receded through a number of decisions issued by media regulators, most notably the decision to halt a television program that addressed topics considered prohibited. The Information Minister was dismissed as a result of this program airing criticism and discussion of controversial topics. The Information Ministry also continued to block websites under the pretext that they promote sectarianism. However, observers believe the blocking to be inaccurate and random as many of the blocked sites are not related to politics or pornography, but rather are intellectual in nature. Panelists said that there is no way to appeal the decision to block a website. Nevertheless, participants believed some indicators in this objective witnessed improvement.

In Bahrain articles 23 and 24 of the constitution guarantee the freedom of expression. Article 1 of Law 47 of 2002 regulating the press, printing, and publishing also guarantees the right to expression, stating: "Every person has the right to express their opinion and publish it orally, in writing or otherwise, in accordance with the terms and conditions set

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Abdullah al Ayoobi, journalist and local news director for Akhbar Al Khaleej, explained that "State bodies do not interfere directly with publishing issues. However, we can say generally that legal protection for freedom of opinion is not enforced. It is frequently ignored, particularly in the case of issues related to the state."*

forth in the law, provided this is done without prejudice to the principles of faith, the unity of the people and without giving rise to discord or sectarianism." However, this freedom meets with a number of restricting factors. The Criminal Liability chapter of Law 47 punishes journalists with imprisonment terms ranging between six months and five years for criticizing religion or the King, inciting felonies, and overthrowing the government.

There was consensus among panelists that, despite the various loosely-worded supporting articles, the law's guarantees of freedom of expression are not necessarily applied in practice, as social norms still restrict freedom of expression. Society often fails to support courageous journalists trying to push the limits of what can be reported. *Al Ayam* journalist Esmat al Mosawi affirmed the existence of "clear self-censorship in newspaper management," pointing out that restrictions are justified as protecting the journalist, "while in reality the management is protecting itself and its high-level figures." Journalist Ghassan al Shihabi, journalist and member of National Charter Action Committee, said, "We have—through custom and habit—individuals that the press cannot touch." He continued, "Society no longer supports press courage and we no longer hear that even journalists support each other in courts." He attributed this to a loss of enthusiasm within the profession on the one hand, and to the numerous lawsuits filed against media professionals on the other. Lawsuits have become a familiar occurrence and the public does not react with calls to organize sit-ins or other support.

Abdullah al Ayoobi, journalist and local news director for *Akhbar Al Khaleej*, explained that "State bodies do not interfere directly with publishing issues. However, we can say generally that legal protection for freedom of opinion is not enforced. It is frequently ignored, particularly in the case of issues related to the state." Backing al Ayoobi's statement, Hussain Khamis, journalist for *Al Wasat*, said that the articles of the Penal Code and the Press Law are "elastic," thus allowing the authorities to impose restrictions on the

*Fatima al Hajari, senior journalist for the weekly economic newspaper Aswaq, said that, "Accessing information is still a daunting task due to blocking a lot of information regardless of its confidentiality."*

freedom of expression and publication. Khamis noted, "Of particular note, the authorities prohibited publishing about a number of issues that it felt affected state security, such as former counselor Salah Al Bandar's report; journalists were referred to court for having violated the state ban on publication." Al Shihabi described this measure as "storing the law on a shelf until some of its articles are needed to interfere with publication issues."

The editor-in-chief of the daily newspaper *Al Bilad*, Moenes al Mardi, tempered the severity of other panelists' criticism of the freedom of expression atmosphere by reminding others that, "We have never heard of a journalist having been fired for speaking boldly about political figures in the kingdom, although websites are full of such criticism." He pointed to Prime Minister Prince Khalifa bin Salman al Khalifa's call upon journalists to criticize him personally if there was reason to do so.

Most participants agreed that Ministry of Information licensing for non-broadcast media is fair and professional. Al Mardi said, "The situation improved a lot, and requirements have become clear. Licenses are granted once conditions and requirements are fulfilled." However, DPA correspondent Mazin Mahdi pointed out the difficulty of obtaining licenses for websites, which have now become prevalent as media. He added: "These websites will also face difficulties later." The law places the Ministry of Information (currently called the Media Affairs Authority) in charge of issuing press licenses after companies are established for this purpose under Bahrain's Companies Law.

There are no laws in Bahrain that regulate licenses to establish radio and television stations, which are still a government monopoly. The Shura Council draft law has not witnessed any developments since 2007. Media circles await the discussion of this law during the Shura Council's next session, which will include newly-elected members.

Panelists agreed that there is no organized initiative to perpetrate crime against journalists, and most described the situation as comfortable and not reaching the level of systematized abuse. Al Mardi said that this type of crime results from fear of a journalist as a witness, and sometimes

takes place unintentionally within tense security situations, such as demonstrations. On the other hand, Mahdi reported having been repeatedly subjected to abuse by security agents while working as a photojournalist. Al Ayoobi also mentioned that, "Harassment against journalists is focused on verbal attacks through the Internet." He added that such crimes are met with leniency as offenders are not legally pursued.

Both al Shihabi and al Mosawi agreed that, "If [abuses are] repeated it becomes an indicator that the Executive Authority does not have clear instructions on how to deal with journalists and photographers, which is cause for concern."

In Bahrain, all newspapers are independent and the government owns radio and television stations. Regarding state-owned broadcasters, last year's MSI reported that these outlets enjoy preferential treatment when the government leaks news and that the government appoints officials in the state media.

This year's panelists further discussed that even private newspaper independence is not complete. Al Mosawi said: "Neither newspapers nor editors-in-chief enjoy independence." Al Shihabi, on the other hand, mentioned that "BHD 9 million in advertisements is distributed among newspapers. Fear of losing government advertising—particularly at this time—undoubtedly affects independence." He mentioned that one year a Ministry of Information official met with editors-in-chief and indirectly threatened to stop advertising if the papers did not act as the government pleased. Within the same context, Khamis said that, "Newspapers are only independent in appearance. Most newspapers adopt the government line with limited differences in news coverage." Al Ayoobi agreed with this opinion saying: "Media professionals have no freedom as the editorial material is prepared in line with the state orientation."

In Bahrain the Penal Code includes cases of defamation. Claimants are asked to prove the harm they suffered due to defamation. Participants agreed that no journalists have faced imprisonment for a defamation case, as penalties in such cases involve fines. According to Khamis, "This fine is no deterrent, such as imposing a fine of BHD 50 on the *Akhbar al Khaleej* editor-in-chief in a case that a member of the Human Rights Center had filed against him." However, all participants pointed out that lawsuits filed against journalists are on the rise.

Al Shihabi believes that the law in such cases serves as a scarecrow rather than a tool to imprison offenders. Moreover, al Mosawi said that, "In Bahrain matters do not reach their peak. When a defamation case becomes famous we find that the official closes it quietly for fear of scandals."

Although the right to access information is guaranteed by law, it is not fully implemented. Journalists accessing information are subject to the whim of officials in charge of such information. Article 30 gives journalists “the right to access information, statistics and news the publication of which is permitted in accordance with the law from their sources.” Article 31 “prohibits the imposition of any restrictions that may impede the flow of information or equal opportunities among various newspapers in accessing information, or which may undercut citizens’ rights to information and knowledge, all without prejudice to the requirements of national security and homeland defense.” The law also protects journalists and their sources through Article 30, which states that “opinions issued by journalists or the correct information they publish may not be grounds for harming them. Journalists may not be forced to divulge the sources of their information, all within the limits of the law.”

Panelists agreed that these laws include loose conditions that may have more than one interpretation. Moreover, the refusal by officials to provide information is met by journalists with ignorance of their legal rights, thus losing the opportunity to punish guilty officials. Fatima al Hajari, senior journalist for the weekly economic newspaper *Aswaq*, said that, “Accessing information is still a daunting task due to blocking a lot of information regardless of its confidentiality.”

Panelists discussed some of the agencies that are still difficult to reach to obtain information. Al Mosawi gave the example of the real estate sector, and Khamis affirmed this by pointing out the blocking of information from the Land Survey Authority and Real Estate Registration Bureau since the outbreak of the financial crisis. Only oil trade figures have been published since 2008 and items in the government budget were hidden.

Al Mardi believes it possible for journalists to reach any minister for comment. Other panelists felt this was theoretically right, but they noted that the type of requested information determines the extent to which ministers are accessible and open. Al Shihabi said, “The law provides for the right to access information, but entities not wishing to disclose information pursue a method of leaving journalists thirsty: they do not refuse to provide information but rather stall and postpone until journalists get tired and give up.” Mahdi, as a local journalist working for a foreign agency, complained of the reluctance of officials to provide him with information; he claimed that they prefer dealing with foreign journalists.

Panelists agreed that there are no impediments to accessing international news sources in Bahrain, particularly through the Internet. Moreover, all newspapers may subscribe to news agency services. However, they considered the closing down

of some websites an impediment to accessing some news sources. Bahrain’s Publication and Dissemination Law requires obtaining prior permission to correspond with any foreign press or media.

Journalists are licensed, which is a pressure point for some whose reports cross what the government considers “red lines.” Within this context, al Ayoobi said, “The Information Ministry may withdraw a journalist’s license if a report he wrote contained encroachments, regardless of the validity of the report’s content.”

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Bahrain Objective Score: 1.82

The participants agreed unanimously that the majority of press reports are not professionally prepared for a number of reasons, including the fact that most journalists lack necessary skills and the absence of quality standards at newspapers. Some attributed it to some newspapers’ tendency to influence news and reports to render the coverage one-sided, serving the interests of certain parties.

Al Ayoobi said, “We believe that most reports tend towards being inflammatory or biased in favor of a specific entity. Not all parties to an issue are listened to. Thus, many reports are incomplete in terms of information and professionalism. Some are even prepared for specific objectives that serve one party at the account of another.” Al Hajari shared Al Ayoobi’s view saying that, “Commitment to professional standards is almost at its lowest level in Bahrain, particularly in light of the large number of newspapers that forgo preparation

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

*Khamis expressed sorrow "for the low salaries that render journalism a bridge to cross over to other professions."*

or training of new journalists, thus leaving them without consensus on professional standards."

Participants agreed that there are no unified professional standards. Deteriorating financial conditions at newspapers have resulted in management making concessions on previous standards that once prohibited journalists from accepting gifts or travel tickets because management cannot provide alternatives. This has negatively affected professionalism and credibility. Al Mardi said that, "Our situation makes us consider these gifts a type of courtesy."

Al Mosawi mentioned that a number of journalists are known to seek gifts from sources, and their newspapers have not taken any measures against them except when it became somewhat of a scandal. Al Shihabi called for the quick "drafting of a code of ethics and a code of conduct that imposes penalties in cases of violations," pointing out that the idea existed but implementation may face resistance and difficulties.

Panelists agreed that journalists suffer from self-censorship imposed by newspapers to protect themselves and their management. Khamis confirmed that, "Newspaper management sometimes interferes by deleting phrases or sentences that are not consistent with the newspaper's inclination and that affect their interests." Al Shihabi said that, "Management protect themselves before thinking of protecting journalists," while Al Ayoobi attributed the existence of self-censorship on the part of newspaper management to "the effect of years when we lacked freedom of expression, in addition to journalists' fear to lose their source of income if they address issues related to the interests of government institutions or some businesses that have commercial interests with the newspapers."

Journalists are mostly allowed to cover all news and events. However, lately security authorities have been issuing orders preventing publishing on issues they deem sensitive. They also take to court journalists who ignore these orders. Al Mosawi insisted that there was interference with publishing, pointing out that her articles on "state property" were stopped due to the sensitivity of the issue. This led Al Mardi to acknowledge that "news is covered, but the issue is different with articles and opinions." Al Ayoobi affirmed this opinion saying that, "In recent years there was a quantum leap with relation to covering security incidents, such as demonstrations, acts of

sabotage and riots. There are usually no interventions in a journalist's daily work, but security personnel sometimes interfere with journalists' work to the point of confiscating cameras, for example."

In contrast, there are no reservations on covering international news because newspapers in most cases only use what they receive from news agencies.

Panelists believed there is a major gap between the salaries of editors-in-chief and journalists. Journalists' modest salaries lead them to seek means to support their incomes. Khamis expressed sorrow "for the low salaries that render journalism a bridge to cross over to other professions." Otherwise, some journalists accept giving up ethics and take bribes and gifts to polish the image of certain entities, particularly in light of the lack of a unified, strong Press Charter that defines violations.

It is rare for journalists to work for only one publication. They prepare reports and news for other publications, and sometimes in favor of government entities or companies, which divides their loyalties among these entities at the expense of professionalism.

Panelists agreed that media are serious and tend towards serious news at the expense of entertainment.

Despite the decline in professionalism, media outlets enjoy high levels of technically advanced equipment and modern printing presses.

Participants agreed on the absence of specialization in press coverage and reporting because of the lack of qualified journalists, in addition to the reluctance of management to invest in helping journalists specialize. There is also a lack of investigative reporting, which requires a serious time investment but journalists are under deadlines to fill pages on a daily basis. Al Shihabi pointed out that "The training of media professionals is almost non-existent. Press institutions do not have the methodology for sophisticated media." He also talked about the lack of development in television talk shows from mere questions and answers that do not offer analysis.

### OBJECTIVE 3: PLURALITY OF NEWS

**Bahrain Objective Score: 1.70**

In Bahrain people obtain news from several public and private sources, which include newspapers of all sorts and affiliations, in addition to state television and radio, international satellite channels, and the Internet. Al Shihabi referred to the fact that print is better than broadcast media in obtaining information. He said that citizens seeking

information about Bahrain turn to the printed press, and only watch television for official news.

Panelists shared broad agreement on the ease of access to media as well as the affordability of prices. Al Ayoobi pointed out that Bahrain's small area and the availability of Internet services eliminated problems in accessing media. However, Mahdi believed that the closure of websites sites pointed to actual restrictions on accessing some information. Al Mardi disagreed with him saying that, "Site closures aimed to stop sectarian arguments and controversy," pointing out that people did not object to the closure of sites displaying sexually explicit material. He described the freedom called for as one-eyed freedom. However, Al Mosawi disagreed with Al Mardi, as she pointed out that website closures were random and included some used for research and other purposes, such as blocking the site of Lebanese magazine *Jassad (Body)*. Al Mardi attributed this to society not being accustomed to the bold writing of this magazine.

Al Ayoobi said that broadcast media is state-owned and thus most material these media broadcast is official news that represents the official point of view. "Government media is not neutral. Opposition political powers cannot benefit from the radio or television," he said. Bahrainis may find opposition news and controversial reports from regional and global channels, but they never expect them from Bahrain's television or radio.

The government-run Bahrain News Agency is the sole news agency operating domestically. It dispenses only official news.

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*Al Ayoobi said that broadcast media is state-owned and thus most material these media broadcast is official news that represents the official point of view. "Government media is not neutral. Opposition political powers cannot benefit from the radio or television," he said.*

With regard to media ownership, besides the state-owned radio and television, all newspapers are independent and privately owned. It can be said that newspaper ownership is transparent, as most of them are joint stock, registered companies the data of which is available on the website of the Investor Center where all of Bahrain's companies are registered. However, Khamis pointed out "the prevalent belief that these investors are just interfaces to other owners who prefer not to disclose their identities to continue using the publications in their favor." Al Mardi pointed out here that this applies even in the United States as real media owners are not disclosed, in addition to some regional newspapers published in foreign countries. He referred to the overlap between journalism and business, saying that, "Media owned by investors rather than journalists or media professionals become profit seeking commercial ventures subject to non-professional considerations dictated by their owners."

There are no non-state broadcasters that could prepare newscasts independent of the government. Private newspapers, however, do prepare their own news stories.

As reported last year, Bahrain has no newspaper for minorities. Only reprints of Sudanese and Indian newspapers not edited in Bahrain are available for members of those communities.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

##### Bahrain Objective Score: 2.02

The global financial crisis that started in the United States in the last third of 2008 changed the perception of newspaper projects as viable, successful businesses because advertising, which constitutes a major proportion of newspaper revenues, began to decline. Thus, newspapers tended to reduce their work and numbers of pages, as well as lay off some

*Al Mardi said, "Newspapers have to depend on advertising as a main source of income equivalent to up to 95 percent of total income."*

employees in order to reduce expenses. Indicators of the exit of some market players were becoming clear.

However, contrary to views that see a decline in viewing newspapers as successful business ventures, Al Ayoobi believes that his newspaper, *Akhbar al Khaleej*, "is one of the successful media projects, as management is under a successful commercial mentality that enabled it to be successful both in terms of income and circulation." Further, those who had the idea of establishing a weekly economic newspaper insisted on moving ahead and launched the newspaper *Aswaq* in February 2009.

Al Mardi was unconvinced, saying, "If the market were healthy, newspapers would not be concerned with advertisers and would enjoy more freedom to criticize companies and major institutions. However, the current deteriorated financial situation pushed newspapers to be a bit cautious in order to survive."

Khamis believed that some newspapers were able to create diverse sources of revenue but are still hostage to the desire of their owners to seek more profit and their fear of raising the ire of the government and the resulting negative impact on their interests. Al Mosawi affirmed that the board of directors' control over a newspaper's activities leads to trading professionalism for the security of continuity.

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Thus, editorial policy must be influenced by shareholders' tendencies even if it contradicts the stated policies of a newspaper.

Al Hajari agreed with these opinions, saying that independent media, as business ventures, are keen on having independent editorial policies, but within strict limits. The net result is that Bahrain has only one independent newspaper (*Al Wasat*), which also is subject to the temptation of generous government advertising.

Panelists confirmed the importance of advertising as a main source of income for newspapers because circulation does not represent a major percentage of income, particularly for newspapers that do not own their own printing presses. Al Mardi said, "Newspapers have to depend on advertising as a main source of income equivalent to up to 95 percent of total income." To demonstrate how impossible it is to survive on circulation alone, he pointed out that the cover price of a newspaper is one-third its real cost, taking into consideration the cost of material, printing services, etc.

In Bahrain there is currently no government subsidy for the press. However, government advertising can be regarded as support to newspapers, taking into consideration that there is a policy of rotating advertising between local newspapers. This advertising is often published during feasts and celebrations, mostly courtesy advertising that does not promote services or goods. Embargoing government advertising is also used as a tool through which the government expresses its dissatisfaction when material it does not approve of is published.

Al Mardi said, "The government stopped granting newspapers annual financial support worth BHD 30,000 [\$80,000] since *Al Ayam* newspaper was published in the late 80s. Newspapers depend on their own resources since then." He also said that the government subsidy for paper only serves the printing industry rather than newspapers.

Two regional institutions, Ipsos and Park, engage in media research and are relied on by the advertising industry and public relations firms for information. Advertisers evaluate newspaper performance based on Ipsos and Park research. However, many media professionals do not give any credibility to these two institutions, although their reasons may be based on self interest. Nonetheless, this perception reduces the effectiveness of the research and limits its use by the media industry.

Al Shihabi said that, "Despite the size of these two institutions, they are known to serve the interests of those who hire them and manipulate issues in their favor. Advertising agencies know this but accept it because all interests are intertwined." Al Mardi openly questioned the

credibility of these institutions, pointing out that the recent research conducted by Ipsos, the institution to which firms go for marketing purposes, has rated his newspaper lower than *Al Mithaq* newspaper, which he said is “almost suspended.” He believed that this shows that research is not based on a sound statistical basis.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Bahrain Objective Score: 1.87

The Journalists’ Association in Bahrain was established as a representative body for members of the profession. The Journalists’ Syndicate splintered from the association due to disagreements over the terms of membership. The latter, however, lost most members due to its perceived ineffectiveness and the fact that half of its board of directors changed careers. The Journalists Association has become in effect the only representative organization of journalists. Panelists concurred that, in their opinion, the association lacks effectiveness and impact on the profession of journalism. Its role is restricted to appointing lawyers for journalists who face lawsuits. Al Ayooobi felt that even here the association falls short and that it does not sufficiently defend journalists’ rights. It is almost non-existent if it were not for reminders of its presence when news is published about occasional formal meetings with similar regional organizations, as well as when it organizes the odd course, according to Khamis.

Panelists also questioned the association’s independence because it receives financial support from the Media Affairs Authority, which is the landlord for the association’s headquarters.

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

*Khamis said, “It is difficult for journalists to practically follow training due to the lack of time and the fact that their newspapers do not provide enough time.” He pointed out that journalists failed to show interest in an investigative reporting course organized by Areej Investigative Journalism Network, which required that they apply their learning.*

Al Mosawi and Al Shihabi agree that the lack of awareness on the part of journalists has contributed to marginalizing the association and its role. Al Mosawi pointed out that she, as former treasurer of the association in its early days, has a tough time when trying to persuade journalists to pay the negligible (\$15) membership fee. Al Mardi supported this opinion by mentioning the association’s chairman’s complaint about the failure on the part of members—even board members who fought to reach their positions—to attend meetings.

There are no trade associations that focus their work on the media sector.

On the other hand, the Bar Association and civil society institutions concerned with human rights are the closest allies of media professionals. A number of lawyers volunteer to defend journalists put on trial.

Draft laws affecting the media are also scrutinized by such associations. The Bar Association has issued two statements regarding the draft amendments of Law 47 issued by the Ministry of Information in mid-2008, where it rejected the introduced amendments, considering that they “affect the essence of the right to expression and freedom of opinion, and considering it a violation of Article 19 of the International Covenant on Civil and Political Rights, which renders absolute the freedom to receive and impart news.” The Bar Association also stated that, “The amendment to Article 68 of the current Press Law, which refers cases related to the press, printing, and publication to other laws, is another means of imposing penalties against the freedom of opinion and expression.” The Bahraini Association for Human Rights believes that conferring the jurisdiction to the High Criminal Court as stated in Article 77, rather than the High Civil Court, may impose stricter criminal penalties than those made by the High Civil Court when addressing issues of the press, printing, and publication, which constitutes

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another element to put pressure on journalism, printing, and publishing personnel.”

Panelists complained of poor media and press qualifications provided to graduates of Bahrain’s universities. Although journalists working in this field require specialized programs, panelists found that there are few available courses. It is also difficult to measure the impact of the courses on graduates’ proficiency afterwards.

The Journalists’ Association and the Media Affairs Authority organize some training courses and workshops for journalists in cooperation with regional and international press organizations. Khamis said, “It is difficult for journalists to practically follow training due to the lack of time and the fact that their newspapers do not provide enough time.” He pointed out that journalists failed to show interest in an investigative reporting course organized by Areej Investigative Journalism Network, which required that they apply their learning. He believed that the pressures of their daily work left no room for more in-depth work, and hence a lack of willingness to commit to undertaking it as part of the class.

Al Mardi affirmed that, particularly under the current financial situation, training is not in general among the priorities of media outlets. However, they do not mind that employees enroll in training courses inside and outside Bahrain, particularly if the costs are covered by the host. Within this context, Al Shihabi said, “I think that employers in newspapers prefer that journalists invest their time at work rather than training, particularly with the modest [professional] requirements they place on their journalists and reporters.” Al Hajari agreed with him, noting, “Press institution management does not encourage journalists to participate in courses.”

Newspaper printing presses obtain their newsprint supplies from external commercial sources, subject to a five percent import tax. The constricted financial situation has reduced newspapers’ use of paper as they eliminated annexes dedicated to news and sports and economic reports. Economy and sports pages are now back to being part of the newspaper. There are no specialized distribution companies; each newspaper distributes its own copies.

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## List of Panel Participants

**Esmat al Mosawi**, journalist, *Al Ayam*, Manama

**Ghassan al Shihabi**, journalist; member of National Charter Action Committee, Manama

**Moenes al Mardi**, editor-in-chief, *Al Bilad*, Manama

**Hussain Khamis**, journalist, *Al Wasat*, Manama

**Amani al Masqati**, journalist, *Al Wasat*, Manama

**Fatma al Hajari**, journalist, *Aswaq*, Manama

**Abdullah al Ayoobi**, journalist and local news director, *Akhbar Al Khaleej*, Manama

**Mazin Mahdi**, correspondent, DPA, Manama

## Moderator and Author

**Hanaa Bohejji**, consultant, Gulf Forum for Citizenship, Manama

*The Bahrain study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.*

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*A new awareness emerged of the potential and strength of citizen journalism, with the broad use of blog websites, Facebook, YouTube, and Twitter to share Iran's story with the world.*



IRAN

Widely considered the darkest year for the Iranian press, 2009 saw freedom of speech suffering unprecedented repression at the hands of the government. In 2009, following the presidential elections that kept President Mahmoud Ahmadinejad in office, the government sent security forces to violently subdue street protests; revoked licenses or banned at least 11 reformist newspapers and numerous weekly and monthly publications; and launched a massive roundup and arrest of thousands of protesters, activists, bloggers, journalists, and intellectuals. At least 90 journalists, press photographers, website writers, and bloggers were pursued and arrested. Authorities released some quickly, while other detainees remain in prison, serving long sentences. Later, several journalists would step forward to tell about the unimaginable torture they had suffered in solitary confinement. Iran became the second-worst jailer of journalists in the world in 2009,<sup>1</sup> following China.

The Supreme National Security Council, headed by Ahmadinejad, issued secret censorship instructions to newspapers, ordering them to suppress reports of popular protests after the election, and to remove news about dissident candidates. The council also took steps to shut down non-governmental media outlets and the Association of Iranian Journalists (AoIJ). In addition to banning AoIJ activities, the authorities arrested the secretary and the vice secretary of the association, and most of the members of the Press Freedom Defense Association—practically ending independent guild activities of journalism in Iran.

The year 2009 was indeed one of the gravest for Iranian journalism, but it only paved the way for worse conditions in 2010, with unfair and illegal trials and judicial proceedings, more illegal arrests, prison abuse, and sustained pressure on the press.

Despite increasing arrests and trials of Internet users, bloggers, and website contributors, citizen journalism grew in unprecedented ways in 2009. A new awareness emerged of the potential and strength of citizen journalism, with the broad use of blog websites, Facebook, YouTube, and Twitter to share Iran's story with the world. The largest television networks of the world published video, photographs, and reports of anonymous Iranian citizen journalists during the post-election protests, in part due to limitations or bans on foreign journalists traveling to Iran. For the first time in three decades, the image of a vibrant, young, and peaceful nation emerged through thousands of smuggled photographs and video clips posted on YouTube, showing peaceful marches of millions of people—and later, the graphic deaths of some of the same protesters on the streets of Tehran, shot by Iran's security forces.

*Due to the repressive environment in Iran, IREX did not conduct a panel discussion in Iran. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Iran. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of the media in Iran.*

<sup>1</sup> CPJ's 2009 Prison Census: *Freelance Journalists Under Fire*. Committee to Protect Journalists; December 1, 2009; <http://www.cpj.org/reports/2009/12/freelance-journalists-in-prison-cpj-2009-census.php>

# IRAN AT A GLANCE

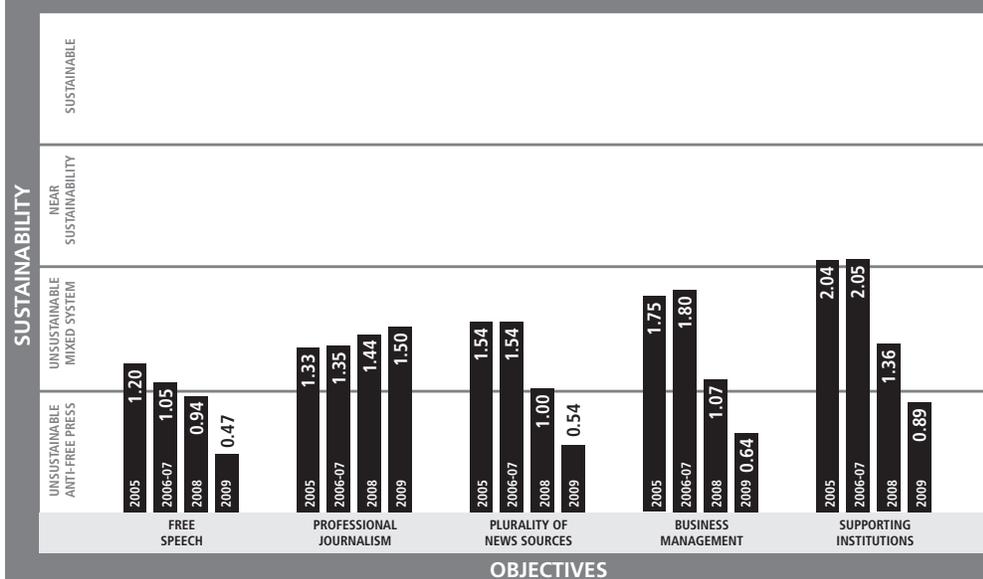
## GENERAL

- > **Population:** 76,928,300 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Tehran
- > **Ethnic groups (% of population):** Persian 51%, Azeri 24%, Gilaki and Mazandarani 8%, Kurd 7%, Arab 3%, Lur 2%, Baloch 2%, Turkmen 2%, other 1% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 98% (Shia 89%, Sunni 9%), other (includes Zoroastrian, Jewish, Christian, and Baha'i) 2% (*CIA World Factbook*)
- > **Languages (% of population):** Persian and Persian dialects 58%, Turkic dialects 26%, Kurdish 9%, Luri 2%, Balochi 1%, Arabic 1%, Turkish 1%, other 2% (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$330.6 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$11,470 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 77% (male 83.5%, female 70.4%) (2002 est., *CIA World Factbook*)
- > **President or top authority:** Supreme Leader Ali Hoseini-Khamenei (since June 4, 1989)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: About 500 national publications. Radio: 9 national stations, and more than 100 local stations, all state-owned. Television: 6 national TV stations in Persian, 1 Arabic station, the *Sahar* network in various languages, and 1 English news network (all state-owned)
- > **Newspaper circulation statistics:** Largest paper in terms of circulation is the governmental *Hamshahri*, at a circulation of about 300,000 to 400,000, followed by the governmental *Iran* and *Jame-Jam*; published circulation numbers are not available, though it has been estimated that the daily circulation of newspapers lies at around 3 million. The reformist daily with the largest circulation is *Etemade-Melli* with about 42,000, followed by *Etemaad* with a circulation of about 30,000
- > **Broadcast ratings:** *Payam Radio* is generally believed to be the most popular radio station, followed by *Javan Radio* (Youth Radio); overall broadcast ratings are not available
- > **News agencies:** IRNA, ISNA, IRIBNEWS, ITNA, Moj News Agency, Qods News Agency, ISCA, IPNA, IANA, SNN, Advar, Aftab, Fars, Mehr, Raja, Rasa, Alborz, Press TV News, Cultural Heritage News Agency, Ana News Agency, Arya News Agency, Center for Young Journalists News Agency, Shabestan News Agency, IKNA- Quranic News Agency of Iran, Shana- News Agency of Oil and Energy, Resa News Agency, Iran Book News Agency, Pana News Agency (Center for student journalists), ITKA News Agency.
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 8,214,000 (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: IRAN



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Iran Objective Score: 0.47

Since he was elected in 2005, Ahmadinejad has led efforts to steadily reverse progress made in press freedom under President Mohammad Khatami, who served two terms spanning from 1997 to 2005. In its violence against journalists following the election, and its intensified efforts to shut down any dissenting publications, the Ahmadinejad government drew on its broad powers and relied on vague, weak media laws to stifle critical voices in the media and civil society.

Iran's constitution was adopted following the 1979 revolution and later amended in 1989, and it fails to guarantee freedom of speech and the press. Although Article 24, titled "Freedom of the Press," provides for the freedom of expression, the caveat "except when it is detrimental to the fundamental principles of Islam or the rights of the public," paves the way for interpretational abuse. The Iranian press law was also formulated in the post-revolutionary era and amended in 1986. It provides a legal framework with some clauses that open the door for the government to prosecute journalists, especially in the name of protecting Islam or national security. In 2000, the departing, conservative *Majles* (parliament) ratified amendments to the press law that further restricted freedom

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*The sitting Tehran Prosecutor, Saeed Mortazavi, told Fars News Agency: "Court 31 of Tehran has two branches dedicated to reviewing Internet crimes: elections violations and insulting and destructive SMS messages."*

of the press, and added two conservative members to the Press Supervisory Board to guarantee a conservative majority.

As reported in the 2008 MSI, the press law requires that press offenses be prosecuted in a general court before a specially constituted press jury. The press law also states that the Ministry of Culture and Islamic Guidance must initiate cases, but often media outlets are closed down by an administrative order, the special court for clergy, or the Revolutionary Court. Most prosecutors ignore the constitution's direction that press offenses must be tried in the presence of a jury. Frequently, journalists are tried in closed sessions without a jury—a practice that has become even more frequent after the 2000 amendments to the press law.

The fact that journalists and citizens alike turn increasingly to new media to circumvent the restrictions on traditional media has not escaped the regime's notice. Clearly, senior officials of the Islamic Republic of Iran are extremely wary of the Internet and all new communication technology, counting it as methods that could help overthrow the government, and they are exercising growing control and oversight over these technologies.

In July 2009, Ahmadinejad unveiled new legislation, Iran's first Computer Crimes Law, to curtail freedom of expression on the Internet—the culmination of eight years of widespread blocking of Internet websites, arrests, and trials of bloggers and Internet website managers. Approved by the Supreme Council of Cultural Revolution and the Islamic parliament, and confirmed by the Guardian Council earlier in 2009, the core components include "crimes against accuracy and integrity of data and computer and telecommunication systems," "theft and fraud related to computers," "crimes against public decency and morality," "defamation and propagation of falsehoods," and "crimes against the confidentiality of data and computer and telecommunication systems." For most crimes defined in the law, punishment includes imprisonment and cash fines.

According to Article 3, accessing stored or transmitted confidential data will be construed as electronic espionage, and the perpetrator will be sentenced to one to three years in prison, a cash fine from IRR 20,000,000 to IRR 60,000,000

*Also in 2009, the Press Oversight Committee quickly issued a license for presidential candidate Mir Hossein Mousavi to publish Kalame Sabz—but the newspaper was banned two days after the elections, after publishing just 20 issues.*

(\$1,920 to \$5,780), or both. “Making confidential data available to those who are not qualified to access it” could lead to two to 10 years of imprisonment; while revealing such data to foreign states, organizations, or companies could lead to five to 15 years in prison. Although the law does not clearly define “confidential data,” it states that data should be considered confidential if its disclosure could damage national security or interests.

Also, the Computer Crimes Law defines prison sentences from 91 days to two years, as well as cash fines, for “defaming individuals or government authorities, creating public anxiety, and publishing falsehoods through computer and telecommunication systems.” Another section of the Computer Crimes Law pertains to prevalent general crimes and bears much similarity to the laws of other countries—especially involving computer-related theft and fraud—but in certain parts, the breadth of security and morality-related charges against Internet users take on a more extreme dimension.

In addition, Iran’s Computer Crimes Law details punishment for those who produce and publish obscene content. Addendum 3 of Article 14 emphasizes that “if the perpetrator has chosen the items mentioned in this article as his profession, or if he commits these crimes in a systematic way, if he is not found to be a ‘corruptor on Earth,’ he would be sentenced to the maximum punishment stipulated in this article.” According to Islamic Penal Code, the punishment for being a “corruptor on Earth” may be the death penalty.

The law also introduces penalties for teaching others how to destroy or disrupt data in computer and telecommunication systems, sharing techniques on circumventing cyber-blockades, and producing and distributing software to combat censorship. In another part of the law, “endangering security or public peace,” or “illegally using international bandwidth” based on foreign Internet protocols in Iran or vice versa, could lead to one to three years in prison or cash fines.

The Computer Crimes Law obligated the judiciary to convene a committee, headed by the prosecutor general, to

determine what constitutes criminal content. The committee’s 12 members include ministers from, among others, the ministries of Education and Development; Communications and Information Technology; Intelligence; and Justice, along with the head of the Islamic Propagation Organization and a member of the parliament appointed by the Legal and Judicial Commission and approved by the Islamic parliament.

Iran has no shortage of government bodies to help implement the law. In 2001, Ayatollah Khamenei directed the Supreme Cultural Revolution Council (headed by Ahmadinejad since 2005) to create an additional body, the Committee to Determine Internet Website Blockades, to monitor the Internet. The Iranian constitution does not recognize this committee, first convened to dismiss critical or opposition students and professors from Iranian universities. However, over the 20-year reign of Ayatollah Khamenei, it has turned into the center of macro-cultural decisions. This committee was expanded in 2009 and transferred to the Prosecutor General’s Office, and Deputy Prosecutor General Abdolsamad Khoramabadi became the committee’s secretariat.

In interviews with Iran’s official news agencies, Khoramabadi discussed the committee’s intent to filter 10 million websites and blogs, “censoring and blocking websites, blogs, and illegal Internet groups,” and said that these actions “are not limited to censoring and blocking,” but, to the extent possible, confronting violators. Additionally, in 2009, several government organizations developed internal centers to monitor and control the Internet. Iran’s Ministry of Information monitors the Internet independently and confronts Internet users as well. The Infrastructure Communications Company, affiliated with the Ministry of Telecommunications, is another hub for controlling the Internet in Iran; it often implements decisions of the Committee to Determine Internet Website Blockades.

Court 31, the Special Court for Internet Crimes, is dedicated to hearing cases related to online media. The sitting Tehran Prosecutor, Saeed Mortazavi, told Fars News Agency: “Court 31 of Tehran has two branches dedicated to reviewing Internet crimes: elections violations and insulting and destructive SMS messages.” Reza Jafari, who leads the Special Court for Internet Crimes in Tehran, reported a crackdown on the websites affiliated with protesters during the post-election events on September 30, 2009. He praised efforts to confront managers of certain websites, saying that these sites encourage public disobedience and riots during the post-election events.

The Ministry of Culture and Islamic Guidance’s Publications and News Agencies Office, too, has taken on the responsibility of supervising and controlling activities

of Iranian news agencies and news websites. This office announced two years ago that it only recognizes websites and blogs registered with the Ministry of Culture as legal, and threatened to block all others. Additionally in 2009, the Ministry of Information Technology and Telecommunications established offices in different provinces to support the Internet Police within Tehran's Criminal Police Unit. Before the June 2009 protests, the Internet Police dealt mainly with data and systems security, but after June, the organization's mission was expanded to include confronting websites, bloggers, and Internet users. This unit photographed the protesters and published the photos on the official police website, and asked for the public's help to identify the protesters so that they could be arrested and tried.

In terms of licensing, the government controls the broadcast sector. Newspapers in Iran must be licensed, but the emphasis in Iran since the elections has been on shutting down publications, not issuing new licenses. The widespread bans in 2009 on publications targeted Iran's semi-independent publications, which emerged between 1996 and 2005. The Press Oversight Committee implemented most of these closures, and the Prosecutor's Office in Tehran and other cities directed some others.

The Press Oversight Committee is comprised of seven members, including the Minister of Culture and Islamic Guidance or his fully empowered representative, a representative from the judiciary, a representative from the Islamic parliament, a representative from the High Council of the Qom Seminary, a member of the Supreme Cultural Revolution Council, and a publication manager. Journalists are not represented on the committee.

The main responsibility of the Press Oversight Committee is to issue publication licenses for newspapers and other publications, but also it has the power to close down newspapers and other publications temporarily, and to forward their case files to the Press Court. According to Article 13 of the existing press law, "The Oversight Committee is responsible for reviewing the qualifications of the applicant and the publication manager within the procedures stipulated in this law within three months after receiving the application for license, and to announce the acceptance or rejection decision with supporting reasons and documents to the minister of culture and Islamic guidance. The Ministry of Culture and Islamic Guidance is responsible for issuing a publication license within two months, at the latest, from the time the application is approved by the Oversight Committee."

In practice, however, the process of reviewing and responding to license applications for publications is lengthy. In June 2008, ISNA News Agency quoted Alireza Malekian, then-press

*The authorities did not limit their scope to Tehran. During 2009 they arrested a number of journalists, including reporters, editors, photojournalists, and bloggers in various cities and provinces, including Ahwaz, Bushehr, Gilan Province, and Isfahan Province.*

deputy of the Ministry of Culture and Islamic Guidance, as saying that the Press Oversight Committee would announce its opinions about this year's applications for publication licenses five years from now, in 2013. Ministry of Culture and Islamic Guidance officials blame the backlog of some 3,500 applications on increased interest during the reform years, and said that the oversight committee has limited ability to review the applications during its weekly meetings.

Even so, the oversight committee speedily reviews the newspaper and magazine license applications submitted by political figures—especially political figures close to the ruling group. In 2008 and 2009, the committee issued publication licenses within a few weeks to *Vatan-e Emrooz*, which is under Mehrdad Bazrpash's management; and *Asr-e Iranian*, which is under the management of Bijan Nobaveh. Both of those individuals are close to Ahmadinejad. The committee also expedited the applications for *Khorshid* and *Shahrvand*, submitted by pro-Ahmadinejad government managers. Also in 2009, the Press Oversight Committee quickly issued a license for presidential candidate Mir Hossein Mousavi to publish *Kalame Sabz*—but the newspaper was banned two days after the elections, after publishing just 20 issues.

ISNA News Agency, which is associated with the Academic Jihad Organization, also published a report about the lengthy process of receiving a publication license. The report noted that in countries neighboring Iran, such as Tajikistan, it is possible to receive a publication license within one or two days. In Afghanistan, this can be done in one day, the ISNA report noted.

Hossein Entezami, a former manager for Jame-Jam, affiliated with the state-run Islamic Republic of Iran Broadcasting (IRIB), and former spokesperson for the Supreme National Security Council, has served as a publication manager representative on the Press Oversight Committee since 2004. During an interview with *Etemad* in early 2009, Entezami revealed that the Press Oversight Committee issued some 238 licenses for publications in 2008, and revoked licenses of 201 publications "because they failed to publish regularly during the year." These statistics do not include those publications that the

oversight committee or the Tehran Prosecutor's Office banned on different charges.

A research study published in *Etemad* in November 2009 shows that the government, and particularly Ahmadinejad's cabinet, tried to minimize the number of licenses issued for political publications between 2005 and 2009. The study states that during Ahmadinejad's presidency within this period, 1,231 publications received licenses from the Press Oversight Committee and the Ministry of Culture and Islamic Guidance, according to official government statistics. Only 151 out of those 1,231 licensed publications—just 12 percent—are allowed to be active in politics.

The report illustrates a 50 percent drop between Mohammad Khatami's second term (2001 to 2005) and Ahmadinejad's presidency (September 2005 to September 2009) in the number of licenses issued to political publications. The licenses issued during Ahmadinejad's term include 15 newspapers, 140 weeklies, 397 monthlies, 493 quarterlies, and 186 periodicals. But the most striking aspect of the official statistics is that nearly half of the press licenses issued between 2005 and the end of 2009 went to publications with ties to government organizations.

In an interview with *Communication Management Monthly* in mid-2010, regarding the ratio of revoked licenses to issued licenses in the Ahmadinejad cabinet, Entezami said: "About 90 percent of publications that have received licenses from the Press Oversight Committee under the name of organizations had their licenses revoked due to Article 16 of Press Law, which stipulates that failure to publish regularly could end in license revocation."

Security-minded confrontations, publication bans, and the system of permits and leases that the press law and Iranian judiciary impose upon publications all combine to keep professional publishers from working in this field.

In the period of the MSI study, Iranian journalists faced severe threats to their safety, along with arrests unprecedented in Iran over the past two decades. In June 2009, a considerable number of Iranian journalists (including Mohammad Sedigh Kaboudvand, Adnan Hassanpour, Mohammad Hassan Fallahieh-zadeh, Kaveh Javanmard, Mojtaba Lotfi, Massoud Kordpour, Bahman Tootoonchi, and Sajjad Khaksari) were arrested and imprisoned for various reasons. This set off another wave of arrests in the second half of 2009. At least 91 reporters and journalists were taken into custody.

The arrests took place in tandem with the sweeping arrests of political and social activists, members of the election campaigns of Mir Hossein Mousavi and Mehdi Karroubi, bloggers and Internet writers, student activists, and election

fraud protesters. The arrests started in Tehran but soon spread to various provinces.

Gholamhossein Mohseni Ejei, Iran's then-minister of intelligence, described the journalists and other detained individuals alike as "rioters." In speaking to ISNA News Agency, he said, "Those who were involved in the riots belonged to one of three groups: the decision-makers, the implementers, and the anti-revolutionaries." Several people close to the government and members of the Tehran Friday Imam group also labeled the detainees "enemies of God," and "corruptors on Earth," demanding the death penalty for them. Even more than a year later, the exact number of imprisoned journalists in all parts of the country is not known, due to severe security limitations on media as well as the ongoing arrests of journalists. The duration of detentions ranged from a few weeks to several months for some journalists, while several journalists remain in prison.

Ahmad Zeidabadia, the first Iranian journalist to be arrested after the election, was taken into custody by security forces on the night of June 13, 2009, in front of his home in Tehran. He remained in prison at the time that the MSI was prepared. According to his wife, he was sentenced in December 2009 by the Revolutionary Court to six years in prison and five years of exile to Gonabad, and was barred for life from participating in any political activity; supporting or participating in parties; or giving interviews, speeches, or analyses of events, verbally or in writing.

Other arrests followed swiftly. Kayvan Samimi Behbahani, a journalist and managing editor of the banned monthly, *Nameh*, and member of the central council of the Press Freedom Defense Association, was arrested on June 14, 2009, at his home in Tehran and was given a six-year prison term. Another prominent journalist, Mohammad Ghouchani, the editor-in-chief of several newspapers including *Etemad Melli* and *Sharq*, was arrested at his home on June 20, 2009. He was released on \$100,000 bail at the end of October 2009. Also on that day, security officers stormed the home of Jila Baniyaghoub, the editor of several reformist newspapers such as *Sarmayeh* and the editor-in-chief of the *Iranian Women's Center*, a women's rights activist, and a blogger. They arrested her and husband, Bahman Ahmadi Amouee. The Revolutionary Court in Tehran, presided by Judge Pirabbasi, sentenced Baniyaghoub to one year in prison and barred her from practicing journalism for 30 years. Amouee, a journalist and economics analyst, is currently in Ward 350 of Tehran's notorious Evin Prison.

The government also targeted Issa Saharkhiz, a journalist and a former director of national media at the Ministry of Culture and Islamic Guidance. Alongside Ahmad Boureghani, the deputy minister of media at the ministry, Saharkhiz

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helped start what could be called the golden era of the ministry, during Mohammad Khatami's first term as president. Saharkhiz also served as a longtime representative of managing editors on the Press Oversight Committee. He was arrested in early July in northern Iran, and sentenced in the Revolutionary Court to three years in prison, five years' deprivation of political and journalistic activities, and a one-year travel ban on charges of insulting the Supreme Leader and propagating information against the regime.

In a June 22 raid on the offices of Mir Hossein Mousavi's newspaper, *Kalame Sabz*, security forces arrested Alireza Behesthti Shirazi, the editor-in-chief, along with 25 other employees, including reporters, editors, and technical staff. Most employees were released during the coming days, but Shirazi and his son, Seda Shirazi, were imprisoned for two months—and then, security forces arrested Alireza Shirazi again on December 28, 2009.

Mehdi Mahmoudian, a journalist with several newspapers affiliated with the Participation Party, was arrested in September, following his instrumental role in publishing news about torture and murder of imprisoned post-election protesters inside Kahrizak Detention Center. He also researched, documented, and published reports about covert burials of several individuals murdered during the post-election protests.

Authorities arrested many website contributors and bloggers as well—including Mohammad Ali Abtahi, the most prominent blogger in Iran and an advisor to Mehdi Karroubi. Hamzeh Karami, who managed the Jomhouriyat website, was also arrested. Along with several of his colleagues at Jomhouriyat, Karami faced the charge of "negative portrayal" of the Ahmadinejad cabinet by publishing statistics about the government's performance. Sentenced to 11 years in prison, Karami later wrote a letter describing the torture he endured that prompted his forced confession.

In addition to the early wave of arrests, authorities arrested many more journalists and media professionals in the months leading up to December 2009. Then, on December 27, 2009, Ashura Day, one of the widest and most violent crackdowns on protesters took place in Tehran. On this day, in addition to the assassination of Ali Habibi Mousavi, a nephew of Mir Hossein Mousavi, police vehicles ran over and killed several protesters in major Tehran squares. Several plainclothes forces shot directly at the protesters, killing several more. Another wave of arrests of journalists and reporters took place during these last few days of 2009, including the detainment of Mohammad Javad Mozaffar, a journalist and head of Kavir Publishing House and deputy director of the Society for Defense of Prisoner Rights; Kayvan Mehregan, journalist with *Etemad*; and Mohammad Nourizad, a documentary

filmmaker and a columnist with *Kayhan* for years. Following the post-election events, Nourizad wrote several open letters to Ayatollah Khamenei—with whom he had been close previously—objecting to the government's violence against the protesters and the widespread arrests.

Authorities arrested international journalists as well, and some spoke out about their mistreatment. Reza Rafiee Foroushani, a freelance journalist that worked for local and international media, was arrested at his house on June 26, 2009. Sentenced to seven years in prison and a five-year suspended term, he remains in prison. In July 2010, he wrote an open letter to the head of the judiciary from prison, reporting of his mistreatment and his forced confession during his trial.

The authorities did not limit their scope to Tehran. During 2009 they arrested a number of journalists, including reporters, editors, photojournalists, and bloggers in various cities and provinces, including Ahwaz, Bushehr, Gilan Province, and Isfahan Province. Many detainees were released soon after their arrest, but not all. Abolfazl Abedini, a journalist from Ahwaz, was arrested on June 30, 2009 and sentenced to eleven years in prison. When the MSI study was being prepared, he was serving his term at Evin Prison.

Majid Saeedi, a photojournalist, colleague to many international media outlets, and editor of the photo section of Fars News Agency for many years, was arrested in July 2009 and released on bail on August 15, 2009. The state-run Islamic Republic News Agency (IRNA) accused Saeedi and another photojournalist, Satyar Emami, of forming a "photography network to capture images of protests and selling them to the enemies' news agencies." Another reporter, Fariborz Soroush, was charged with collaboration with Radio Farda. Security officers arrested him in Karaj on June 16. A few months later, Soroush was released on bail.

In addition to banning several newspapers and arresting journalists in the months following the election, representatives from the Prosecutor's Office and Ministry of Islamic Guidance appeared repeatedly at printing outfits and newspaper offices during the night. They censored content that challenged election results or Mir Hossein Mousavi's statements, or quotes from Mehdi Karroubi, Mohammad Khatami, and other individuals and opposition parties. These acts led to decisions to ban multiple newspapers, including *Asrar*, *Etemad Melli*, *Hayat No*, *Andisheh No*, and *Seda-ye Edalat*. Most were banned for several issues, but *Kalame Sabz* was banned indefinitely.

As made clear by the examples above, Iran's state-owned media is not independent from the government. The government holds a monopoly over the broadcast sector,

*Such harsh conditions affected the professional performance of media, forcing publications to lose their professional courage and to impose widespread self-censorship.*

shuts down newspapers that challenge its actions, and leverages control over funding decisions and board appointments. Last year's MSI noted that IRIB and Press TV have access to international news sites such as the BBC Persian Service or the U.S. government-funded Radio Farda and Voice of America. These sites are unavailable to non-government media. The 2008 MSI detailed the government's selection procedures for state media journalists, who are well connected and compensated but must adhere to the government's ideological and political stance.

The authorities frequently exercise provisions for criminal punishment of libel in Iran. Furthermore, as described earlier, the government expanded its options for punishing libel with its new Computer Crimes Law, which stipulates cash fines and prison sentences from 91 days to two years for defamation and publishing false information through computer and telecommunication systems.

As noted in the 2008 MSI, Iranian law provides no specific limitations on the media's access to foreign sources—in fact, Section 5 of the Press Law stipulates that “acquiring and publication of domestic and foreign news used to increase public knowledge” is the legal right of all media outlets. However, the law has not stopped the government from widely blocking and otherwise obstructing access to foreign news sources and international news websites, citing threats to Islam, national security, or moral corruption. Ayatollah Khamenei has spoken repeatedly about “cultural invasion” and “cultural NATO,” and has accused print, Internet, and Farsi television stations that broadcast foreign programs of presenting a “dark portrayal of Iran's affairs” and “provoking people to protest.” The Computer Crimes Law represents the centerpiece of the government's efforts to clamp down on the media's migration to the web.

Journalists must clear several hurdles in order to practice journalism. They must obtain a permit—which can be revoked at any time—from the Ministry of Culture and Islamic Guidance, and if they intend to report on political sensitive matters, permission from the ministry is required in advance.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Iran Objective Score: 1.50

Iran's top publications, especially newspapers, tend to be managed by well-known politicians who cannot be considered professional journalists. More than any other reason, this discrimination in management is the direct result of the Press Oversight Committee's shortcomings in issuing publication licenses, especially for newspapers. The committee's approach reflects the regime's general lack of trust for professional journalists. Thus, many newspapers represent a faction, organization, party, or political thinking, and subsequently, most of the newspapers that have been able to continue publishing represent the Iranian rulers' viewpoints.

The 2008 MSI commented upon the difficulty of maintaining an objective stance, given that the government allows non-government media so little breathing room, and given the rising trend of presenting journalists with gifts for coverage. Yet that study also marked a growing awareness of ethical journalism within the past few years, attributed to the larger number of journalism graduates in the media sector. Overall, though, despite an abundance of well-intentioned journalists striving to improve their craft in extremely harsh circumstances, professional journalism in Iran has always faced economic, legal, and educational challenges.

Naturally, these challenges intensified in 2009, with the unprecedented and well-documented arrests of journalists and media outlet closures. Such harsh conditions affected the professional performance of media, forcing publications

### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

#### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

to lose their professional courage and to impose widespread self-censorship.

In terms of covering major events, the press cannot address many subjects. As noted in the 2008 MSI, taboo subjects including anything critical of Islam, the Prophet Mohammad, the supreme leader, or other pro-government people or institutions. Other sensitive topics that the government directs editors not to cover include Iran's nuclear program; student demonstrations; coverage of certain persona-non-grata, such as former politicians who have been sidelined; increasing energy prices; international sanctions; negotiations with the U.S.; and inflation.

As noted above, state media journalists are paid fairly well, but most reporters and journalists working in Iran are employed on a contractor or pay-per-piece basis, and their low pay makes their independence highly vulnerable. Although both the government and media managers repeatedly emphasize job security and insurance for media workers, a lack of supportive laws—and failure to implement the laws that are in place—exacerbate the inherent insecurity in the journalism field.

Article 76 of the Social Welfare Law recognizes journalism as a "hard and harmful profession," but for the past 15 years, implementation of this law has met challenges, even drawing criticism from Malekian in 2009. According to this article, individuals who have worked 20 uninterrupted years or 25 intermittent years in "hard and harmful" professions such as reporting are due retirement benefits without an age requirement. "Many branches of the Social Welfare Organization do not uphold the law that considers working as a reporter a job where each year of activity in this field equates to 1.5 years of service in other professions. This has caused a violation of reporters' rights," Malekian said.

Furthermore, it is clear from the many closures of media outlets that the government itself compromises reporters' employment security. For example, when the government banned *Sarmayeh Newspaper* and the Media Oversight Committee revoked its license, at least 60 reporters and journalists lost their jobs.

Especially considering the dire political crisis in Iran over the past year, the Iranian people remain focused on news, and the trend of entertainment overtaking news is not the serious problem in Iran that it is elsewhere. Also noted in the 2008 MSI, oil revenues over the past few years have helped government media organizations update their facilities and equipment—yet they have not invested in training their staff to use the new tools properly. Generally, non-government media lack access to updated technology.

Some newspapers in Iran concentrate on specializations such as sports, economy, or society, and some still attempt investigative reporting, despite the obvious obstacles.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Iran Objective Score: 0.54

According to official statistics, of 3,790 publications licensed in 2009, well over half were published in Tehran. Individuals held 2,067 licenses, and 1,723 licenses belonged to organizations—more than half of which are government organizations. Although Iran has a large number of newspapers, generally citizens must read a variety of sources to gain different perspectives.

Official statistics do not show how many of the licensed publications are currently in print, but statements by Malekian indicate that close to 2,080 publications, including 98 newspapers, published at least periodically during the first few months of 2009. According to the same statistics, in 2005—the year Ahmadinejad was elected to his first term—124 newspapers held nationwide publication licenses. Thus, over the past five years, this number has decreased by 28 percent, in contrast to the growth in national papers published during Khatami's presidency between 1996 and 2005. Meanwhile, government-owned publications increased from 223 in 1996 to 538 in 2005 and up to 856 in 2009. The statistics themselves tell the story of a drastic change of policy pertaining to publications and media, illustrating

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*The Iranian people exercise great creativity in using the Internet and social media tools to spread news of the government's forceful acts against protestors.*

a contraction of the Iranian media arena between 2005 and 2009.

The Iranian people exercise great creativity in using the Internet and social media tools to spread news of the government's forceful acts against protestors. Although use of the Internet and other modern communication technologies jumped in 2009, these technologies faced serious limitations for content production, with the authorities labeling of Internet, SMS, blogs, and even Internet social networks such as Facebook "soft threats against the Islamic Republic of Iran." The crackdown after the post-election protests led to widespread restrictions on Internet media, blocking sites such as Facebook and Wikipedia and services such as Gmail and Yahoo Messenger—one of the most widely used Internet messaging systems in Iran. The authorities even halted Internet services completely on several occasions. In another show of repression, the government curtailed SMS services, which have grown in popularity and power as a pocket medium, for several weeks beginning on the morning of Election Day.

The 2008 MSI noted that satellite television and Internet access depend on income, and are out of reach for a majority of Iranians, especially in areas beyond Tehran—where state broadcasting is often the sole source of news.

The authorities control state media completely, although some level some criticism at the government, noted last year's MSI study—which described Radio Javan ("Youth Radio") as an example of an outlet that is often irreverent and critical of the authorities. However, in a more typical example, after the government's show of force against protestors on December 27, 2009, the government media accused the protestors of insulting sanctities.

Approximately 20 Persian news agencies work in Iran, ranging from governmental news agencies such as the IRNA (Ahmadinejad's cabinet's news outlet) to privately owned agencies, including the Iran Labor News Agency and Moj.

As the government controls all broadcast media, the sector has no independently produced radio or television programs. However, the launch of BBC Persian TV in January 2009 offered an important new option for Iranians with access to

satellite television. As noted in the 2008 MSI, many of the journalists employed by the BBC worked in Iran until recently, and thus have a great deal of credibility.

Tracing the owners of print publications is often difficult; although the press law stipulates that the managing director and editor-in-chief of each publication must be made public, Iran has no laws that require public disclosure of monetary sponsors or investors. Still, the backgrounds of many government publications are well known. For example, Tehran Municipality holds *Hamshahri's* operating license; this newspaper has the highest circulation in the country.

Most other top newspapers in the country are either owned or under the supervision of government organizations, or are supported by such organizations. *Iran* is affiliated with IRNA. Hossein Shariatmadari and Mahmoud Doaee, both representatives of Ayatollah Khamenei, manage *Kayhan* and *Etela'at*. Jame-Jam is associated with Iran's state radio and television organization, IRIB, which Bijan Moghaddam manages. The IRIB chief, placed by Ayatollah Khamenei, appoints and dismisses the newspaper's management. *Tehran Emruz* is affiliated with the Islamic Propaganda Organization. *Resalat* is associated with Resalat Foundation; its license holder is Ayatollah Khamenei and its manager is Massih Mohajeri.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

#### Iran Objective Score: 0.64

The financial crisis of the press deepened in 2009, with several critical newspapers, such as *Etemad* and *Sarmayeh*, struggling with financial problems. Several other critical publications said repeatedly that they were unable to pay their journalists' salaries.

The socio-political situation of Iran in 2009 also resulted in drops in circulation. Annual statistics released by the government show that overall circulation of publications in Tehran Province faced a 21.6 percent drop in 2009, and the situation was no better in other provinces. In the Qom Province, where religious seminaries are located, circulation during the last quarter of 2009 saw a 36.2 percent drop. Within the Fars Province, circulation rates increased 10 percent during the first three quarters of the year, but with a sharp drop in the last quarter, the overall growth rate was just 1.8 percent.

The Media Oversight Committee even used poor management as an excuse to ban *Sarmayeh*, managed by Hossein Abdo Tabrizi. The Ministry of Culture and Islamic Guidance's Press Deputy cited Article 11 of the Press Law in

the decision to ban the paper and stated that the closure was due to the “fading qualifications” of its license holder and “activities outside its defined mission.” Reacting to the claims, Tabrizi told reporters: “This article in question addresses a newspaper manager’s qualifications. The list for the required qualifications includes Iranian citizenship, at least 25 years of age, scientific qualification, and commitment to the Iranian Constitution. My age has not decreased, nor have I changed my citizenship, and I have not lost my commitment to the Iranian constitution, either. It is not clear, therefore, on exactly what grounds they have used this article to revoke *Sarmayeh* newspaper’s license.”

The 2008 MSI underlined the role that state subsidies play in the Iranian media sphere’s ongoing business management crisis. The high costs of publishing newspapers and magazines, and the lack of professional publishers in the private sector, have led to heavy dependence on government subsidies, even among those outlets that non-governmental individuals or entities publish.

In addition to threats and intimidation to quiet critical media and publications, the Islamic Republic also provides a collection of privileges for its affiliated newspapers and publications, or those that support its positions. The government uses discriminatory policies for allocating funding and support from public budget sources, ranging from favoritism in the licensing process to cash subsidies for government newspapers. These tactics have presented managers and publishers of private sector newspapers and publications with brand-new problems.

In August 2009, *Farhang Ashti* published an investigative report about the allocation of special cash subsidies to two

*In addition to threats and intimidation to quiet critical media and publications, the Islamic Republic also provides a collection of privileges for its affiliated newspapers and publications, or those that support its positions.*

pro-government newspapers. According to this report, in just the second quarter of 2009, *Kayhan* received \$529,000 and *Iran* received \$470,000 under the heading of “press subsidies,” making them the recipients of the highest amounts of governmental press subsidies.

Malekian, who was then in charge of the press within the Ministry of Culture and Islamic Guidance, announced that the entire press subsidy budget for 2008-2009 was \$31 million, but reported some time later a \$13 million reduction in the allocated subsidy amount, saying that the government allocates the press subsidies “according to quantitative and qualitative indices.” He further emphasized, “in addition to the above criteria, we also pay especially close attention to the content of news and reports produced by news agencies.”

In September 2009, Minister of Culture and Islamic Guidance Mohammad Hosseini rolled out a “press grading” mechanism to guide the allocation of subsidies in his ministry. Hosseini did not provide any details about the indices used for grading the press, but Mohammad Ali Ramin, who took over the position of press deputy within the Ministry of Culture and Islamic Guidance in mid-2009, spoke more explicitly about it in November 2009. He announced that “the subsidies will be distributed wisely, fairly, and according to standards based on the mission of the media.”

Asked whether the Ministry of Culture and Islamic Guidance would have an even and respectful approach regarding how the subsidies are allocated, Ramin discussed the importance of respecting institutions. “Freedom, anarchism, [and] creating public anxiety and mental, moral, and ideological insecurity in the society are huge crimes which must be dealt with,” he said. “It is possible in Western culture to value the rights of a murderer above the rights of a victim, and the secularist human rights of the West might put a higher value on the murderer, moving to maintain the murderer’s rights and human rights. But according to Islamic principles, we do not discriminate in this way.”

Semi-independent press managers also cited the overwhelming assignment of advertising revenues to government or pro-government publications as another

## INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

*When the third wave of arrests started, in the last three days of 2009, a significant number of those arrested were board members of the AoIJ and the Press Freedom Defense Association.*

challenge faced during 2009. Initially, government officials merely directed government-affiliated companies to favor advertising in pro-government publications. But in late 2009 and early 2010, the practice became a policy explicitly included in the 2009 budget procedures, which announced a government advertisement monopoly for *Iran*, according to an order received from Ahmadinejad.

Reacting to the financial problems facing non-governmental newspapers and publications, Ahmadinejad’s press advisor Ali Akbar Javanfekr said, “In an environment where certain media publicly confront the government, wield razor blades to the government, explicitly announce that they plan to overthrow the government, and prove the same in their actions, it is only natural that their expectation for government ads is a greedy one,” he said. “...cutting the government advertisements is a natural reaction to critical publications who wish to overthrow the government.”

As reported in the 2008 MSI study, there are few attempts to conduct broadcast ratings or market research, and at any rate, the information is not publicized, given the government’s strict control of the broadcast sector.

**OBJECTIVE 5: SUPPORTING INSTITUTIONS**

**Iran Objective Score: 0.89**

Iran has few organized owners’ associations. However, the Press Co-Op, an association for publications managers, is in operation and is composed of hundreds of press managers. Its members object repeatedly to some of the government’s actions against the press. They wrote a letter to state officials objecting to the government’s discriminatory policies, especially in the area of subsidy allocations.

According to a statement by Ali Akbar Behbahani, managing director of the Press Co-Op, in 2009 the organization held meetings with Ministry of Culture and Islamic Guidance officials, including Press Deputy Mohammad Ali Ramin. The meetings allowed co-op members to follow up on the publications’ demands; inform the ministry of how budget cuts have impacted them; and address the injustice of

steering subsidies toward government publications, whose entire resources are provided to them for free, as such discrimination violates Article 44 of the Iranian constitution.

As the country’s largest journalist group, the Association for Iranian Journalists spoke up as well. In the days following the election, AoIJ published several letters addressed to the head of the judiciary, objecting to the widespread arrests of its members and other independent journalists. The Tehran prosecutor answered by sealing off AoIJ’s offices on August 5, 2009. When the agents stormed the office, they also filmed the people present and the inside of the facility.

AoIJ was formed in 1997 under the more open Khatami presidency, known as the reform era. AoIJ is an associate member of the International Federation of Journalists, and at the time of its closure, it had nearly 4000 members. AoIJ experienced judicial and security pressures from appointed agencies from time to time during the Khatami era, but the pressure intensified sharply during Ahmadinejad’s first term. It peaked during 2008-2009 especially, and the Ministry of Labor in the Ahmadinejad cabinet made clear that it wanted AoIJ dissolved. Through the AoIJ secretary’s legal efforts, the dispute between the Ministry of Labor and the association subsided drastically in the early months of 2009. But the post-election events, the repeated newspaper closures, and arrests of journalists finally led to the confrontation that closed its doors.

Through the years, many prominent Iranian journalists have been active in the Press Freedom Defense Association also. After the widespread arrests of journalists during 2009, this association supported Iranian journalists by publishing protest bulletins. In a September 2009 bulletin, the association objected to the “continued arrests and intimidation of

**SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.**

- SUPPORTING INSTITUTIONS INDICATORS:**
- > Trade associations represent the interests of private media owners and provide member services.
  - > Professional associations work to protect journalists’ rights.
  - > NGOs support free speech and independent media.
  - > Quality journalism degree programs that provide substantial practical experience exist.
  - > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
  - > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
  - > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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journalists and use of various types of pressure on critical press,” labeled the arrests of journalists after the presidential election as illegal, and strongly objected to the use of pressure and threats against press activists. The association also expressed its concern “...about the harsh imprisonment conditions and treatment of Issa Saharkhiz, Keyvan Samimi, and Ahmad Zeidabadi—members of the Central Council of the Press Freedom Defense Association.” The bulletin also objected to “psychological, mental, and physical pressure” put on imprisoned journalists, declaring that “summons[es] and direct and indirect threats to people of the press by security forces” had grown drastically. Furthermore, it called upon the Islamic Republic of Iran to “unconditionally release all imprisoned journalists and analysts.”

When the third wave of arrests started, in the last three days of 2009, a significant number of those arrested were board members of the AoIJ and the Press Freedom Defense Association. They included Mashallah Shamsolvaezin, former editor of banned newspapers *Jame'e* and *Neshat* and one of the founding members of the Press Freedom Defense Association.

Over the past few years, the Center for Human Rights Defenders, an organization established by Shirin Ebadi and a number of human rights lawyers, has represented many imprisoned journalists pro bono. In 2008, forces representing the Tehran Prosecutor's Office stormed the center's premises and sealed the offices. In 2009, pro-government media stepped up its attacks on the center, and authorities arrested several of the center's active lawyers, such as Mohammad Ali Dadkhah. Others, including Mohammad Seifzadeh and Nasrin Sotoudeh, faced charges in judicial and security cases.

Educational options for journalists are slim; widespread limitations on the private sector have left just a limited number of government institutions with a journalism program. Currently, only Allameh Tabatabaee University's College of Communications, the IRIB (state broadcasting organization) University, and a few campuses of Azad University offer journalism courses.

The government has obstructed short-term training efforts as well. The Ministry of Culture and Islamic Guidance's Center for Development and Media Research, which initiated a large effort for the continuing education of reporters in the mid-1990s, reduced its activities during Ahmadinejad's tenure and grinded to a halt in 2009.

*Hamshahri* newspaper has enlisted the help of several communication academics to establish the Training Center of Hamshahri Institute, which attempts to use its limited resources for training and elevation of professional standards of journalism and media in Iran. However, the government has attempted to impose limitations on this organization as well.

## List of Panel Participants

*Due to the repressive environment in Iran, IREX did not conduct a panel discussion in Iran. This chapter represents research conducted on the situation and discussions with various professionals knowledgeable about the situation in Iran. The names of those contacted will not be published to protect their personal security. This chapter therefore provides a summary of the state of the media in Iran.*

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*According to Kader, Prime Minister Nouri al Maliki had given instructions to impose controls and limits on information published on the Internet, because the information being published was currently “out of control.”*



IRAQ

Iraq has enjoyed wide-ranging freedoms since the forcible ouster of Saddam Hussein and the political upheaval in 2003. However, media professionals and press organizations still operate in a hazardous environment. Local organizations continue to raise warnings about dangers to freedom of the press and expression, particularly in the aftermath of the United States military withdrawal from Iraqi cities.

The Journalistic Freedoms Observatory (JFO), an Iraqi organization that defends journalists and their rights, reports that violence against journalists is climbing. In 2009, JFO reported a rise in attacks on journalists and media professionals to an estimated 262 cases over the course of the year. The report indicates that the Iraqi government has put forth significant efforts to control the free flow of information and has exerted pressure on journalists to prevent them from doing their jobs. The government uses criminal libel and defamation laws to stifle critical media outlets.

In addition, the Iraqi government has tried to restrict information on a national level by imposing censorship and control over the Internet. On July 22, 2009, Farouk Abdel Kader, Iraqi minister of communications, admitted that a proposal had been put forth to control and restrict Internet use in Iraq. According to Kader, Prime Minister Nouri al Maliki had given instructions to impose controls and limits on information published on the Internet, because the information being published was currently “out of control.” Kader, who is a member of a religious political party, added that the controls are intended to prevent any political movements or other activities that violate the ethics of the country.

Such instructions seem to contravene article 40 of the Iraqi Constitution, which states: “The freedom of communication, and mail, telegraphic, electronic, and telephonic correspondence, and other correspondence shall be guaranteed and may not be monitored, wiretapped, or disclosed except for legal and security necessity and by a judicial decision.”

# IRAQ AT A GLANCE

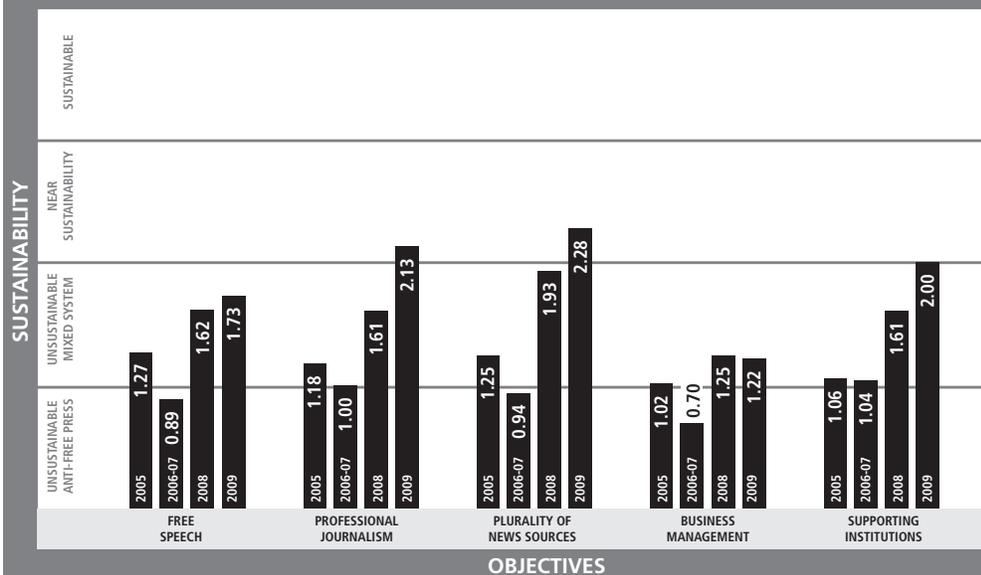
## GENERAL

- > **Population:** 30,399,572 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Baghdad
- > **Ethnic groups (% of population):** Arab 75%-80%, Kurdish 15%-20%, Turkoman, Assyrian, or other 5% (*CIA World Factbook*)
- > **Religions (% of population):** Muslim 97% (Shia 60%-65%, Sunni 32%-37%), Christian or other 3% (*CIA World Factbook*)
- > **Languages:** Arabic (official), Kurdish (official in Kurdish regions), Turkoman, Assyrian (Neo-Aramaic), Armenian (*CIA World Factbook*)
- > **GNI (2009):** \$69.653 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009):** \$3,330 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 74.1% (male 84.1%, female 64.2%) (2000 est., *CIA World Factbook*)
- > **President or top authority:** President Jalal Talabani (since April 6, 2005)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 55 newspapers, 32 magazines; Radio: 84 stations; Television stations: 84
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Iraqi News Agency (state-controlled); 10 additional agencies
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 325,900 (2009 est., *CIA World Factbook*)

### MEDIA SUSTAINABILITY INDEX: IRAQ



#### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

#### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

#### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

#### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Iraq Objective Score: 1.73

Panelists agreed that the prospects are grim for freedom of journalism and free speech for the near future. They said that the government's efforts to restrict journalists, under pretexts of protecting national security and applying ethical standards on behalf of society, are tantamount to outright censorship. The government's true objectives are to control published content, limit the use of the Internet, and restrict freedom of speech, panelists said.

Asifa Musa, media professor, spoke from an academic perspective and said that such steps have provoked journalists to seek constitutional guarantees for the right of access to information and inalienable legal guarantees for freedom of press and expression. She added that some officials do not want such legislation to pass because they know that freedom of the press could lead to the discovery and publication of incriminating information. In the influential Iraqi media environment, an unfavorable investigation could turn public opinion against them. Consequently, some individuals are not willing to put themselves or their party interests at risk.

Haider al Hasani, reporter for Al Rashid Satellite Television, said that even though Article 38 in the Iraqi constitution guarantees freedom of the press and expression, some recent government moves to restrict Internet cafés violate

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Ghasan al Yasiri, reporter for Radio Free Iraq in Baghdad, declared that the current CMC actions are portents of great danger that reflect very negatively on the state of freedom in Iraq. In conclusion, he warned that actions of that kind would lead to the rise of a new Saddam Hussein.*

that article. The security authorities have also instructed all media outlets to restrict the types of broadcasts that they make and the equipment they use. The government has even ordered media outlets to provide the state with staff names, addresses, and other personal information. In al Hasani's view, this constitutes a danger to the personal safety of media outlet staff.

The panelists said that they do not perceive the court system as a refuge for journalists seeking respite. For example, the journalist who threw his shoes at former U.S. president George W. Bush in December 2008 received a three-year jail sentence in March 2009. Many journalists viewed this sentence as disproportionate to the crime. Although he was released after serving nine months, he reported being tortured during his time in prison.

Imad al Ibadi, consultant and presenter of political programs for Al Baghdadiya Satellite Television, said that the Iraqi government is following social norms in seeking to control all media outlets by restricting media professionals' work and movements. He expressed the view that governmental and political authorities use all means at their disposal, including extreme violence, to obstruct freedom of expression and access to information. He recalled his own survival of an assassination attempt, in which he was shot four times in the head and body.

The government has begun encroaching on Internet freedom as well, by limiting the number Internet cafés and websites and restricting the freedom of communications. Safaddin al Hachami, a lawyer specializing in media cases, expressed concerns regarding Communications and Media Commission (CMC) interference with the Internet. He said that CMC is using the pretext that the Internet publishes pornography—a common excuse for censorship. Many of the intellectual elite are concerned that CMC's actions might be the first regressive step toward imposing severe censorship of all communications. The Iraqi Ministry of Communications has called for control and censorship of the Internet on the pretext that Internet content is "out of control." The ministry

*However, the vast majority of journalists have neither the training nor the independence to stray from an outlet's ideological line.*

officially admitted to taking such steps and said it had been instructed to do so by the prime minister.

Societal norms in Iraq prevent expressions of public outrage at the government's actions. Saad Saloum, professor in the Department of Political Sciences at Al Mustanseria University in Baghdad, said that prevailing culture does not favor such freedom. Even in instances where their liberal rights are guaranteed, journalists must not violate the social and cultural taboos regarding sex, politics, and religion when they exercise these rights.

The Iraqi authorities impose strict controls on journalists and media organizations through the CMC. However, CMC regulations were drafted poorly, which makes them at once ineffective and hostile to print and broadcast media. In particular, the regulations impose inappropriate standards for licensing, together with tight restrictions on media content.

CMC's managers are appointed by the government—not approved by the Iraqi Parliament, as the constitution outlines. These appointments have enabled the government to control CMC, and in turn, utilize CMC as an instrument of control over the media. In reaction to the government's manipulation of CMC and the commission's decisions to impose strict regulations, international organizations have spoken out in protest. Recent reports by Human Rights Watch, the Committee to Protect Journalists, and Reporters Without Borders underscore the risks facing the Iraqi media as a result of CMC directives, and state that CMC must turn itself around. Al Ibadi said that CMC imposed a curfew on journalists, acting on direct instructions from the military authorities that rule Baghdad and are affiliated with al Maliki. The curfew prohibits journalists from traveling without permission from CMC and military leadership.

The panelist expressed the belief that it is important for CMC to regain its rightful mission. Panelists said that they would like to see CMC abandon its efforts to ban media outlets or turn licenses into tools of oppression and instead facilitate licensing and promote a general culture against taboos. Ghasan al Yasiri, reporter for Radio Free Iraq in Baghdad, declared that the current CMC actions are portents of great danger that reflect very negatively on the state of freedom in Iraq. In conclusion, he warned that actions of that kind would lead to the rise of a new Saddam Hussein.

Violations against media members this year included 83 cases of assault on journalists or photographers by military and security forces, 37 arrests, and 39 detentions. Ten journalists survived armed attacks, two journalists were seriously wounded, one journalist was kidnapped and killed, and four journalists were kidnapped and released after being tortured.

A total of 14 journalists and media outlets were charged and tried for libel in lawsuits brought by government officials under articles 81 through 84 of the Penal Code Law No. 111 of 1969. Law 111 was inherited from the former regime and contains 15 articles on journalism and libel that impose strict penalties.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Iraq Objective Score: 2.13

One of the most serious challenges for Iraqi journalists is meeting the standards of professionalism required to build public trust in the media as reputable sources of information to aid in decision-making. Journalism should provide citizens with the information and impetus to demand accountability from their government. However, the largely risk-averse media of Iraq practice self-censorship instead of investigating government failures. Dozens of ongoing lawsuits filed by parties and local officials against journalists and media outlets have left the media cowering. The entrenched culture of the regime and its authoritarian attitude toward its people is at the heart of the self-censorship practiced throughout the Iraqi media.

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Traditionally, the media in Iraq have acted as mouthpieces for their governing powers—money, business interests, and the ruling party—at the expense of standards of quality and professionalism. In most cases, journalism has not evolved under this culture of censorship and has yet to develop a clear journalistic mission and vision.

Partisanship is the principle obstacle to producing quality journalism. Majid al Brikan, a reporter for Sawa Radio in Basra, said that local media organizations have direct associations with party or religious institutions and believe that their roles are to promote and provide information about the groups that fund and own them. This loyalty leads to one-sided reporting and criticism of the opposition without articulating the opposition's position. Outlets lead with stories that promote their parties or foreign funders in the region, even if the reporting is weak. Al Yasiri expressed the belief that editors-in-chief impose most self-censorship in order to preserve the relationships between owners/editors and government officials.

The panelists agreed that most local media organizations fail to get their message across to their audience—to the extent that readers, listeners, and viewers have begun to ignore local news and follow foreign media outlets instead. Al Hachami said that the principal problem with media outlets is a lack of professionally trained staff able to ensure content quality. Saloum pointed out one exception: Iraqi journalists that work in international media organizations and develop proper professional standards. However, the vast majority of journalists have neither the training nor the independence to stray from an outlet's ideological line.

Local satellite networks, radio stations, and newspapers that once were dedicated exclusively to news are starting to produce entertainment, arts, and audience feedback content—an indication that media outlets are beginning to understand and take into account the needs of their audiences. Swalen Botros, journalist and media marketing manager in Baghdad, remarked that change was evident clearly in some of the Iraqi satellite networks—with the exception of party-owned satellite networks and media outlets, which still do not broadcast entertainment shows or more diversified news. Despite their political ownerships, Baghdad's Al Aalam news network, *Az Zaman* Arabic- and English-language daily newspaper, *Al Mashriq* Arabic-language daily newspaper, and *Alwan* arts newspaper include substantial entertainment content, as they understand their readers' demand for non-political news. Television networks such as Al Baghdadiya, Al Sharqiya, and Al Sumaria have been increasing the airtime they allocate to entertainment shows. Botros observed that the change was provoked by bad political news on the one hand and the declining incidence of violence on the other.

*However, the ruling party continues to dominate the state-owned media. Despite an estimated \$100 million in allocated funding, state outlets still need thorough restructuring to become inclusive and neutral.*

Media outlets face many technical and financial problems that limit the quality and diversity of productions. Panelists noted that professionalism and artistic values are particularly low. Musa, speaking as a media professional in academia, said that media outlets do produce acceptable shows using the simple tools available, despite their poor technical capacity and despite how rudimentary the panelists found them from their point of view as media professionals. Moreover, the artistic failures demonstrate that the owners are more interested in news and do not realize the importance of production quality. Botros agreed that clearly, Iraqi media outlets need technical and artistic support to improve the final product delivered to viewers and listeners.

According to the panelists, media owners underestimate their audiences consistently and believe that they have a ready-made, guaranteed audience in their supporters and thus have no need to invest in quality productions.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Iraq Objective Score: 2.28

Despite the multitude of media outlets, the Iraqi media can be divided easily into pro-government or pro-opposition, resulting in a dearth of neutral reporting. Government media outlets have been accused of partisanship and producing propaganda; however, an examination of non-governmental media outlets reveals similar faults. Pro-government media outlets focus on the regime's accomplishments and exclude opposition voices in their programs, while some opposition media outlets concentrate only on the government's failings without including the government's perspective. That analysis holds true for the party-owned satellite networks as well as for those that operate under nationalistic or sectarian philosophies. No media outlet has attained any significant degree of independence, with the exception of some that operate in accordance with the policies of particular non-governmental organizations.

Examples of partisan news coverage abound: the Al Furat channel promotes the views of the Shiite Supreme Council

*Media outlets employ illegal means to obtain what advertising they do receive; for example, by offering bribes and kick-backs to advertising agencies, whether those organizations are government agencies or independent businesses.*

Party, Afaq Television takes the side of the Shiite Al-Daawa party, and the Al Baghdadiya channel favors the Sunni Islamic Party. Each channel pushes the view of its affiliated party to the fore and ignores the others, without investigating the issues.

Rand Talal, a journalist for the Institute for War and Peace Reporting, said that country has an array of media outlets of differing political and social orientations. Currently, the Christian minority has two radio stations, one religious and one secular, and this is a significant development for Christians in Iraq. However, the ruling party continues to dominate the state-owned media. Despite an estimated \$100 million in allocated funding, state outlets still need thorough restructuring to become inclusive and neutral. Talal agreed that while the country has a plurality of news sources, no plurality of viewpoints exists within any one media outlet. As a result, viewers must watch more than one television channel in order to pick and choose credible information from among the news broadcasts.

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

News agencies receive funding from political organizations as well, which results in further self-censorship and compromised news content. Ali al Khalidi, owner and director of the Baghdad Media Center, said that local news agencies are simply conduits for press releases from the government and other organizations. Agency staff do not verify the accuracy of such news or seek out differing viewpoints before they pass it on to subscribers.

Most media outlets produce at least most of their own news content, and how it differs from official media is primarily a matter of editorial policy.

As reported last year, ownership of media outlets in Iraq is not transparent, nor is management of those outlets. Given the political or religious affiliations of most owners and their intention to use media as a means of promoting their agendas, owners prefer to remain unnamed and management are silent on the matter.

Minority issues are often ignored by the media, unless it is in the interest of either the government or the owners of an individual media outlet to cover them.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Iraq Objective Score: 1.22

Scores under this objective have not changed significantly from last year, as internal and external funding from various parties still control the media industry's business practices. With the decline in subsidies from international organizations, hopes of establishing independent, sustainable media are fading.

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

While media outlets are no longer exclusively state-owned, the dominance of political groups nevertheless undermines any chance of independence or development of a competitive media market.

When media outlets failed in their initial attempts to establish financially sustainable media, they relapsed to dependence on subsidies and political parties. Most media outlets no longer have ethical qualms about obtaining advertising and financial sponsorship in exchange for biased coverage. They have turned themselves into propaganda machines for the organizations that fund them through advertising. This is a widely accepted practice among media outlets and it has become a useful tool for governing bodies. Haider al Badri, editor-in-chief of *Kalkamech* magazine in Babylon, said that Iraqi media outlets still only receive a small part of their income from neutral advertising sources. Revenues from advertising barely amount to the petty cash involved in putting out a publication or establishing a satellite channel.

Media outlets employ illegal means to obtain what advertising they do receive; for example, by offering bribes and kick-backs to advertising agencies, whether those organizations are government agencies or independent businesses.

The Iraqi government and its ministries dominate the allocation of advertising, and this leads outlets to compromise editorial independence in order to obtain government advertisements. The panelists said that they consider such politically motivated allocations to be a new form of government control over editorial freedom. Saloum worries that the practice will turn the remaining independent media outlets into propaganda machines, and that advertising allocation decisions will amount to a declaration of war on the independence of the media.

A weak private advertising market and high publishing and distribution costs deal a double blow to independent print publications. Musa said that the lack of a thriving advertising industry or specialized advertising companies result in media outlets folding or laying off most of their staff. Most Iraqi newspapers incur significant losses as a result of high distribution costs and low advertising revenue. The comparison is simple: it costs newspapers 400 Iraqi dinars (\$0.34) to print each copy, before taking into account the salaries of editors and other staff; whereas most newspapers are sold at a cover price of 250 dinars (\$0.22) and in small quantities—less than 2,500 copies a day. The security situation is another key factor in the fall in newspaper circulations, because the curfews and traffic restrictions all over Iraq hold up the distribution of newspapers to the villages, rural areas, and remote areas.

Government interference in publishing and advertising also weakens the financial viability of independent publications. Al Brikan said that the party-owned print media that are distributed free of charge have brought down the circulation numbers of other papers.

The market research that is available in Iraq is scarce and unreliable. Al Ibadi said that most Iraqi media outlets do not have market research staff for promoting their products, nor do they carry out studies in order to tailor their product to audiences, because of the mindsets of their bureaucracies. Although a number of Iraqi media outlets and government media centers have developed plans to carry out market research on many issues, the integrity of such research is questionable, according to some Iraqi media professionals. Botros was of the view that polls of that kind almost always have a political backing and are engineered to demonstrate that the Iraqi people support particular political groups, however lacking in credibility the groups are. The pollsters are not considered neutral or professional businesses, and do not turn a profit. The polls carried out every now and then in Iraq in the interests of some political authority are paid for in advance and do not reflect reality. Recently, the National Media Center affiliated with the Iraqi cabinet conducted many polls regarding some of the most important issues in Iraq; however, major subgroups in Iraqi society were left out. The Iraqi satellite channels and radio stations also have carried out polls, but not through any formal scientific process.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Iraq Objective Score: 2.00

Independent journalists want to practice professional journalism in an independent media environment, but thus far, political influence has hampered efforts to form the institutions that would help journalists achieve this goal. The regime in power operates on the belief that more support to independent media outlets will necessitate greater censorship and attract negative attention to the regime. Without an opportunity to abolish the concept of media freedom entirely, the government instead controls information by relying on financial subsidies to outlets and promises of homes, land, and loans to individual journalists.

NGOs in Iraq manage to provide support to journalists to some extent, thanks to direct guidance and funding from international organizations. However, the panelists found that the Iraqi Union of Journalists and the Federation of Iraqi Media Professionals have become weaker as they have aligned themselves more closely to the government in

*Sabah Zngana, researcher and journalist, said that unfortunately, the Union of Journalists has indeed been involved in dealings with the government and it supports the state's anti-media attitudes. This has led professional journalists to quit the union and to retract their support.*

exchange for financial privileges, while ignoring harassment and assaults targeting journalists. At the same time, the government is working to gain influence over the journalists' associations in order to control the media by extension—thus returning to the status quo from before 2003.

Botros noted that media associations such as the Union of Journalists and the Federation of Iraqi Media Professionals represent the views of the government, pure and simple. Consequently, they undermine freedom of the press and expression in Iraq, rather than provide even a minimum level of real support. These two groups endorsed the proposed law on protection for journalists, while most journalists opposed it for its restrictions on journalists. The draft law was criticized severely also by a number of international organizations—most significantly by Article 19. Sabah Zngana, researcher and journalist, said that unfortunately, the Union of Journalists has indeed been involved in dealings with the government and it supports the state's anti-media attitudes. This has led professional journalists to quit the union and to retract their support.

A number of organizations remaining in Iraq speak up for the rights and freedoms of journalists. The most important

of these is the Journalistic Freedoms Observatory. However, a lack of coordination among these organizations has hindered their progress in impelling the regime to change certain laws and government directives.

The relative freedom of the seven-year period following the change in power has not resulted in a means to increase the capacity of Iraqi journalists or hone the talents of those willing to play an active part in media organizations. Journalists in Iraq continue to depend on technical support from relevant international organizations. Al Brikan agreed that journalists need ongoing professional development courses, since academic study alone is not enough to create professional journalists. Journalists need an organization to refine their creative abilities through development programs, whether in the field of journalism per se or through media management. Iraqi journalists themselves are at least partly to blame for not developing their capacities, given the new opportunities to practice journalism. Talal noted the lack of organizations specializing in professional media development and all its artistic, technical, and editorial aspects. Training projects do not succeed in developing the media because they are carried out by non-specialized institutions and organizations, he said. Real development for journalists comes from working with professional media organizations abroad.

Daily newspapers and magazines have been relatively immune to sectarian rivalry and security and economic problems. However, they are failing to achieve their desired business goals because of government pressure and censorship. Panelists expressed concern that even with the prevalence of Internet and social networking websites, censorship might become tighter, especially in light of the government's covert intentions to control CMC.

Al Khalidi observed that printing in Iraq is not free, as the country's printing houses censor publications unofficially. The government has confiscated publications criticizing corruption and has raided printing houses in Baghdad. They include the printing houses Al Maghreb, Al Ganoub, and Al Kawthar and a booklet entitled *Where did Iraq's money go?*

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

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## List of Panel Participants

Sabah Zngana, researcher and journalist, Diyala

Haider al Badri, editor-in-chief, *Gilgamish*, Babylon

Safaddin al Hachami, media lawyer, Baghdad

Rand Talal, journalist, Institute for War and Peace Reporting, Baghdad

Imad al Ibadi, presenter, Al Baghdadiya Satellite Television, Baghdad

Majid al Brikan, reporter, Sawa Radio, Basra

Ali al Khalidi, owner and director, Baghdad Media Center, Baghdad

Haider al Hasani, reporter, Al Rashid Satellite Television, Mesan

Asifa Musa, media professor, Baghdad

Ghasan al Yasiri, reporter, Radio Free Iraq, Baghdad

Swalen Putris, journalist, media marketing manager, Baghdad

Saad Saloum, professor, Department of Political Sciences, Al Mustanseria University, Baghdad

## Moderator and Author

Ziad al Ajili, executive director, Journalistic Freedoms Observatory, Baghdad

*The Iraq study was coordinated by, and conducted in partnership with, the Journalistic Freedoms Observatory, Baghdad.*

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*Violations of journalists' rights have increased, particularly among private and independent media outlets, and private and independent media outlets have suffered different types of attacks and violations.*



## IRAQ-KURDISTAN

A series of important political changes, including the results of the presidential and parliamentary elections in 2009, swept Kurdistan in 2009. A viable opposition emerged through the elections, with three opposition parties gaining 35 seats. The elections also revealed waning public support for Sulaimania and Dahuk, the two dominant parties in the Kurdish capital of Erbil.

The parliamentary changes affected all aspects of society, and journalism in particular, in 2009. Media in Kurdistan has advanced in some respects, yet it still suffers from many obstacles. Most media outlets maintain ties to political parties. Investment and technical and human resources are limited and primitive in Kurdistan's media institutions. Interestingly, the number of newspapers, magazines, and websites increased in the course of 2009, to both positive and negative effect. More than 280 newspapers and magazines and 85 radio and television stations launched between September 2009 and April 2010. But apparently, the increase in quantity was not accompanied by core development in the media industry's legal underpinnings, access to information, or programming innovation.

Violations of journalists' rights have increased, particularly among private and independent media outlets, and private and independent media outlets have suffered different types of attacks and violations. The Kurdistan Institute of Human Rights (KIHR) recorded 25 violations surrounding the 2009 election season. Moreover, in its 2009 annual report on the Kurdistan journalism environment, KIHR reported 95 different violations, including threats, beatings, confiscation of cameras, and arrests of journalists performing their jobs. These violations took place despite intensive national and international criticism of the conditions of Kurdistan journalists in 2009. The government did not intervene to halt the impositions on journalists' rights; only private and independent media and NGOs reacted. The Kurdistan region's governmental institutions have conducted no serious legal follow-up or investigations of violators, and this remains a major concern.

Although article 35 of the journalism law is in place to protect the freedom of the press, most judges and some security institutions fail to uphold its principles—leading many in the media community to call for a stronger law. At the same time, others complained that the fines and censorship imposed on journalists are too weak.

Given all these realities, media conditions have stagnated in the unsustainable, mixed system range—as reflected in the MSI's score that is nearly identical to last year. The MSI panelists called for the government to adopt a clear, long-term strategy to develop media in Kurdistan, drawing on the expertise of the media community, universities, and NGOs in the media field.

*The Kurdistan region of Iraq comprises integral territory of the Republic of Iraq; it has not been recognized as a sovereign country by any nation or international organization. However, the many differences between it and the rest of Iraq, including legal and regulatory regimes governing the media, warrant a separate study of media in the Kurdistan region.*

# IRAQ-KURDISTAN AT A GLANCE

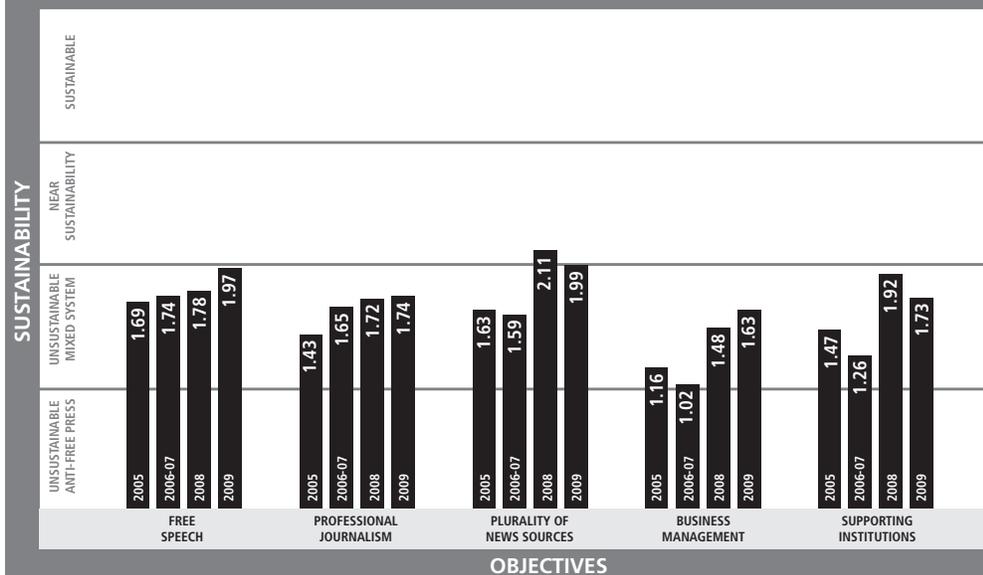
## GENERAL

- > **Population:** 3,757,058 (Oil-for-Food Distribution Plan, approved by the UN, 2002)
- > **Capital city:** Erbil (known locally as Hawler)
- > **Ethnic groups:** Kurds, Turkmens, Arabs, Chaldeans, Assyrians, Ashourians, Armenians Yazidis, and Shabaks
- > **Religions:** Sunni Muslim, Christian, Yazidism
- > **Languages:** Mainly Kurdish; Turkmani, Arabic, Armenian, and Assyrian in some areas
- > **GNI (2009-Atlas):** N/A
- > **GNI per capita (2009-PPP):** N/A
- > **Literacy rate:** N/A
- > **President or top authority:** Prime Minister Nechirvan Barzani (since May 7, 2006)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** 50
- > **Newspaper circulation statistics:** The best-selling newspaper does not exceed 25,000 copies, which go only to Erbil and Sulaimaniya, with a limited number going to Duhok because its residents speak a different dialect.
- > **Broadcast ratings:** N/A
- > **News agencies:** 3
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** N/A

MEDIA SUSTAINABILITY INDEX: IRAQ-KURDISTAN



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Iraq-Kurdistan Objective Score: 1.97

Article 35 of Kurdistan's journalism law can be considered an element of protection and a step toward the development of the freedom of speech. For example, Kurdistan law places few restrictions on launching a publication. Additionally, journalists are protected from arrest and are supposed to be subject to fines only. Yet 2009 saw many cases in which the security institutions and courts did not enforce the law.

Anwar Hussein Saeed, head of the journalists' rights commission in the Kurdistan Journalists' Syndicate, confirmed that most courts do not enforce the law, and noted that journalist arrests persist even when such arrests are prohibited by law. However, some panelists reported that although many journalists were arrested in 2009, the government and the presidency of the region are aware of the problem and are attempting to find solutions.

Haval Abu Bakr, a media professor at the University of Sulaimaniyah, argues that at its core, Kurdistan law needs many amendments to guarantee greater openness and secure the freedom of journalism. In his view, the law should secure the right of access to information for the journalists before anything else.

Kurdistan's journalism law covers the written media only, and does not involve other types of media. Chiman Salih, editor-in-chief of Kurdistan Online website, underlined the law's failure to regulate electronic media activities in the country.

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Fareed Hnna Putres, of Ishtar Satellite channel, believes that the absence of independent courts is behind the carelessness in enforcing the law; he said that courts do not protect the rights of journalists, nor punish the violators. According to him, not a single violator went to court on the regional or national (i.e., all of Iraq) level.

The panelists said that violations affect private media the most, although sometimes media of political parties are affected as well. The lack of concern that authorities in the parliament, government, and courts display toward violations of journalists' rights turned out to be a major question in 2009 for most of the international and national institutions working in the fields of media and freedom of expression.

In terms of obtaining licenses, the authorities allow for some flexibility in access, as indicated by the 243 local newspapers and magazines and 85 local radio and television stations registered in 2009, in addition to websites and satellite channels. However, Mariwan Hama Saeed, director of Metro Center to Defend Journalists, said that some radio and television stations bypass registration because of their political affiliations.

As for the ease of entry into the media market, the capital invested in Kurdistan media is still in the early stages, and is not comparable to other industries—yet there is no tax on media institutions in Kurdistan. Most media outlets are politically affiliated and financed by their political parties.

MSI panelists stated that there is no such thing as state television in Kurdistan, and Abu Bakr said that although some government-financed media outlets operate at the regional level, they are accustomed to serving the interests of the dominant power. For example, Hawler media (newspaper, radio, and television), which the governorate of Erbil finances, served the ruling political party in the elections.

Regarding the treatment of defamation under the law, the burden of proof rests with the accused journalist. Although the law on journalism addresses defamation, judges execute the old Iraqi Criminal Law, which the panelists said is too severe for this type of case.

Niyaz Abdulla, program director of Radio Nawa, Erbil governorate, and Nazr Zrar Ahmad, director of the Erbil office of *Awena*, said that private and party media are subject to clear discrimination in access to information—even very basic information. Panelists agreed that there is no culture of granting access to information in Kurdistan, and no law exists that regulates access—although some administrative instructions expressly prohibit media outlets from accessing certain information.

Nasr Ali Abdullah, from Zagro Radio, argued that the authorities' poor awareness of the right to access information is the main reason behind this situation. Panelists also

noted that the last parliament broadcasted its sessions through Nawroz satellite channel—a state outlet—but the current parliament prohibits the practice. Salih said that the parliament stopped the broadcasts after opposition voices took over seats.

Access to international sources of information is provided adequately through satellite channels and the Internet. Even though villages and remote areas have no Internet services, service is available in most Kurdistan cities and towns, and journalists and citizens utilize it without any censoring. However, the journalism law stipulates strict punishments for publication of certain restricted, translated topics from foreign sources.

Finally, panelists agreed that authorities do not interfere with starting a career in journalism. On the other hand, there are no professional prerequisites to become a journalist, and the panelists said that this often leads to concern for professionalism in the field.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Iraq-Kurdistan Objective Score: 1.74

MSI scores assessing the quality of professional journalism in 2009 did not change significantly from 2008. In 2009, the Kurdistan media's low level of professionalism in all aspects—ethics, science, art, law—remained a serious problem.

The panelists said that many people become journalists with no scientific or academic background. This is true especially of the party media, which employs unqualified people solely for their ties to the party, calls them journalists, and registers them as journalists in the Kurdistan Journalists' Syndicate.

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

The panelists said that they see widespread failure to comply with journalism code of ethics. Neither media institutions nor the syndicate work to develop and build capacities in a professional manner. Abu Bakr said that the sector has no one definition for a journalist, and anyone who wants to become a journalist can do so. At the same time, Anwar Hussein Saeed said, sometimes journalists hurt the image of the profession when they fail to comply with its rules and ethics.

Most of the time, the panelists said, journalists are neither fair nor objective in their reports, and rarely use dependable, adequate sources. Instead, often reports are filled with rumors and conjecture. The use of research to support journalism is weak, and all reports and news are designed in a similar way. Many journalists do not tackle significant issues, intentionally neglecting to cover potentially controversial topics to save their jobs. However, the panelists pointed to a big difference between the heads of media institutions and the journalists that work for them, as well as between private and party media institutions.

As for salaries, Ahmed said that the standard of living is very poor for independent and private media journalists. Salih added that some journalists in the party media enjoy more than one salary, plus incentives. Abdullah commented that the media sector has no single salary scale or standard for media institutions. Salary level does not depend on the qualifications of the journalists or their innovations, but on the personal relationships with their managers, Abdullah said.

The panelists agreed that entertainment programs outnumber news and information programs among Kurdistan's media. As for the state of facilities and equipment, the devices that outlets use in the data collection process and news production are very elementary, and most staff members suffer from low technical proficiency. Hama Saeed added that local television channels copy their products from the satellite channels.

The panelists concluded that the professionalism of journalists in Kurdistan must be addressed, and all academic centers and media and freedom of speech organizations should participate in the process.

## OBJECTIVE 3: PLURALITY OF NEWS

### Iraq-Kurdistan Objective Score: 1.99

The number of print, broadcast, and electronic news offerings continued to grow in 2009, enhancing choices for citizens and adding to the options from international media. Panelists' scores for this objective were slightly lower than last year, however. Although the panelists agreed that Kurdish news and media sources have increased, the points of view

available have not. As news is distributed mostly for free, rather than sold, it is produced in very basic quality, and much of the news looks alike in content and design.

The panelists said that the Kurdistan region has no public media yet, although there are a few government media outlets that are affiliated with dominant political parties. Moreover, the news agencies in Kurdistan are weak, and cannot yet be considered independent or objective sources of news or information. In fact, local media institutions rely on international news agencies for their news and information—even for local stories. Salih said that most of Kurdistan’s leaders are not willing to talk to local media, yet they happily speak to international outlets.

Participants had little praise for Kurdistan media’s efforts to produce their own news; they reiterated that much of the news sounds alike.

Regarding transparency of ownership of Kurdistan’s media institutions, panelists said that apart from the party media, it can be quite difficult to ascertain an outlet’s true owners. Many media enterprises not owned directly by political parties nonetheless receive support indirectly, and although they adopt an independent posture, they do not provide independent or reliable information. In addition, the panelists expressed the opinion that it is still early in Kurdistan’s development for companies and big investors to own media institutions hence for now conglomerate ownership is not an issue.

Panelists agreed that minority media have been free to operate in Kurdistan. In 2009, Chaldean, Assyrian, and Turkmen media ran radio and television programs and websites in Kurdistan in their mother languages, with no

censorship. They have also published print media and aired shows and programs in Kurdish media outlets. According to Akrawi, all minority media exercise their rights and freedoms in Kurdistan, and his satellite channel, Ishtar, proudly dedicates time for minorities to air their own special shows.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Iraq-Kurdistan Objective Score: 1.63

Capital investment in Kurdistan’s media did show a little progress in 2009, compared to 2008. The overall MSI scores for this objective reflect a modest improvement over the 2008 score but remains solidly within the “unsustainable, mixed system” score category, underscoring the great deal of work that remains to put media on a more solid path to sustainability.

The media industry suffers from a scarcity of financial resources and strategic projects, a lack of initiatives from investors, and little transparency in the financial systems of many media houses. Businesses use media only for certain advertisements, and, in rare cases, a limited amount of support to some outlets. Hamadamin Khidir, editor-in-chief of *Sarnj*, said that this reflects a lack of trust in the media among businesspeople and investors; they feel more comfortable going after profits elsewhere. Akrawi noted that the lack of original news content hurts the possibility that media will become profitable. These shortcomings force media institutions to preserve their ties with political parties, since other sources of financial support are so slim.

In the Kurdistan region, the major financial sources for media institutions include the Kurdistan Regional Government (only

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

for the media institutions that are close to the government or the dominant political parties), and political parties (each political party finances its media outlets from its budget, either directly or indirectly, according to its capabilities).

According to Khidir, the government and political party media receive all the institutional support, while the independent media continuously seek unconditional and non-political financial resources—but such outlets are very rare in Kurdistan, placing independent media in a very precarious position. Some media institutions provide services for other projects as well, such as feature films or documentary films. In addition, some international NGOs from Europe and the United States support independent media through grant projects. In fact, independent media have relied solely on NGOs to secure financial resources; all the other resources that they pull in are minor at best.

Support from advertisements and media products is still very weak and unreliable as a steady income, considering that the best-selling magazine and newspaper do not distribute more than 20,000 copies in the entire region. Abdullah said that no media institution can survive on selling advertisements, and the financial resources of most outlets remain unclear—causing the media to lose people's trust. Abu Bakr argued that the costs of newspapers overwhelm sales, and media outlets need to go and learn how to sell advertisements to businesses. Yet, as much as the panelists emphasized that media outlets need to strengthen their soliciting skills, they noted that the whole advertising segment of the media sector needs to become more professional, as the advertising market is very new in Kurdistan and advertisements are not well designed. Hama Saeed, on the other hand, blamed the unprofessionalism in many media outlets for their failure to generate profits.

The practice of distributing newspapers for free also hurts the sale of private newspapers. Other hindering factors include the relatively small population, a declining interest in newspapers, and the nature of Kurdistan's linguistic composition and the difference in its dialects. It is rare to sell Erbil and Sulaimanyiah publications in Dahuk, and the opposite is true as well, since people in Dahuk speak Badini, while in Erbil and Sulaimanyiah, people speak Sorani. Furthermore, the start-up of television and the rapid progress of electronic media in Kurdistan region—like other regions in the world—has affected the sale of newspapers negatively.

Anwar Hussein Saeed said that simply no capital is invested in Kurdistan media, and what little is spent tends to be political leaders' local projects, such as local private television stations. Some panelists said that political party ties, and the manipulation of the dominant political parties for their funds, are the main reasons why not enough capital is invested in the media, and why the media do not engage in transparent

or honest competition. For example, some panelists said that political parties pressure most advertisers to favor political media. On the other hand, some panelists said that a media outlet's ability to sell advertising is decided not by political parties, but by its apparent success and its connections.

Anwar Hussein Saeed argued that the government wastes too much money publishing magazines and newspapers, and said that it needs to regulate the subsidy process with a transparent, fair law. The panelists said that they do not trust that the government supports all media outlets equally, and expressed the belief that distribution of funds is unfair and leaves out independent media.

Media institutions in the Kurdistan region lack strategic plans for business development, and no media institution has yet carried out surveys or scientific research on the market to inform their content. Moreover, panelists said that they rarely see any innovative planning in Kurdistan's media outlets, which paralyzes them from securing a steady income and gaining enough footing financially to maintain their independence.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Iraq-Kurdistan Objective Score: 1.73

Aside from the Kurdistan Journalists' Syndicate, the country has only a handful of other national and international groups that specialize in the media industry, work to protect the rights and freedoms of journalists, and build media capacity.

In 2009, the Kurdistan Journalists' Syndicate continued to operate on the system that was built and coordinated according to the agreement of the political parties. Although

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

the independent media recognize the syndicate as their representative, panelists said they would like to see an additional institution or association that will protect them in deed and be more active, as well as help build the media's professional skills. For example, some panelists feel that the Kurdistan Journalists' Syndicate is not active enough in supporting the claims made by media professionals against the authorities. According to some panelists, at times journalists are prevented from filing claims against the police after being held unlawfully or are pressured to give up a case; the Kurdistan Journalists' Syndicate could better follow-up and publicize these instances.

Anwar Hussein Saeed said that the government does not show any motivation in solving cases related to journalists' grievances, and having 5,000 members in the syndicate is a big issue—there are simply too many cases to address them all adequately. Ibrahim said that the syndicate's roots in political parties and the government reflects its inability to serve journalism. The syndicate is supposed to be independent and free, yet it stands against some newspapers and magazines, he said. He gave the example of a memorandum that the syndicate released against *Livin*. Furthermore, the syndicate has reported few violations, and most of the panelists had the opinion that the syndicate is very slow and bureaucratic, and does not work to build the professional capacities of journalists.

One NGO that supports the media is the Kurdistan Institute for Human Rights. Its free media program includes monitoring, protecting, and developing journalists' rights, freedoms, and professional skills. KIHR has carried out more than 106 seminars, training courses, conferences, media monitoring projects, reports, and research projects on the media in Kurdistan.

According to the panelists, media support from international NGOs and centers has fallen back in comparison to last year. A handful did work on building capacities of local journalists through workshops and training courses. However, the panelists had several critiques of the programs. Several said that these training courses are not enough, and are too focused on the big cities, so journalists in the districts and sub-districts are not getting a fair opportunity. Furthermore, Ali Abdullah said that most of the training courses are too simplistic and do not concentrate on positive or useful topics. Another shortcoming is that media outlets do not send editors-in-chief or managing editors to participate in training courses. Hazhar Sadiq, from the Gali Kurdistan satellite channel, said that media outlets should carry out their own training courses to build the capacities of their staff—but that is rare.

Academic centers, universities, and institutes do not have capacity-building courses for journalists outside their regular curriculum.

Printing houses function freely, and they experience no censorship in that respect. However, high-ranking officials from the political parties manipulate Internet service providers. Although the Internet is available to everyone, service is very weak, and limited for the media organizations.

Some companies exist that specialize in printing, publishing, and distribution, but their capacities are still limited and they are expensive, so they are not considered supportive to media institutions. These media companies have not helped outlets to improve their sales, raise their income, cover broader stretches of territory, or reach remote regions.

## List of Panel Participants

**Haval Abu Bakr**, professor, Media Department, University of Sulaimaniya, Sulaimanya

**Halgord Samad**, correspondent, *Livin*, Erbil

**Amadamen Khdr**, editor in chief, *Sarnj*, Sulaimaniya

**Hazhar Sadiq** director, Erbil office, Gali Kurdistan Satellite, Erbil

**Niyaz Abdulla**, program director, Radio Nawa, Erbil

**Nasr Ali Abdullah**, director, Dahuk office, Radio Zagros, Dahuk

**Anwar Hussein Saeed**, chairman, Committee to Protect the Rights of Journalists, Kurdistan Journalist Syndicate, Sulaimanya

**Nzar Zrar Ahmad**, director, Erbil office, *Awena*, Erbil

**Fareed Hnna Putres**, director of programs and production, Ashtar Satellite, Erbil

**Chiman Salih**, editor-in-chief, KurdistanOnline.net, Erbil

**Nazhad Jalal Mohammed**, editor-in-chief, Sbey.com, Sulaimaniya

**Ara Ibrahim Ismail**, chief correspondent, *Hawlati*, Sulaimaniya

**Mariwan Hama Saeed**, director, Metro Center to Defend Journalists; vice chairman, Journalistic Freedoms Observatory, Sulaimaniya

**Saman Hussein Mohammed**, director, reportage department, Kurdistan Satellite TV, Erbil

## Moderator and Author

**Ali Kareem**, head, Kurdistan Institute for Human Rights, Erbil

*The Iraq-Kurdistan study was coordinated by, and conducted in partnership with, Kurdistan Institute for Human Rights, Erbil.*

*Disclaimer: the views and opinions expressed in the Iraq-Kurdistan chapter are those of the panelists and do not necessarily reflect the views and opinions of the Kurdistan Institute for Human Rights.*

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*In particular, the country's popular online media faced more stress in 2009, especially as the 2006 printing and publication law does not include protections for media on the Internet.*



KUWAIT

Kuwait ranks high in regional classifications for its relative media freedoms, but its status is somewhat insecure and fluctuates annually. In 2009, Kuwait led the Arab world in press freedom, earning a ranking of 60th in the Reporters Sans Frontières (RSF) *World Press Freedom Index*.<sup>1</sup> Yet serious concerns about self-censorship, bans on media outlets, and the risk of criminal penalties for journalists threaten Kuwait's standing.

Governmental attempts to limit free expression and hinder sectarian debate continued throughout 2009. In particular, the country's popular online media faced more stress in 2009, especially as the 2006 printing and publication law does not include protections for media on the Internet. Reportedly, the country's general prosecutor has drafted a bill that criminalizes promoting vice, incitement against the country's leadership, divulging state secrets, or insulting Islam on the web—hinting at more challenges for online media in the coming years.

In Kuwait, all newspapers are private, and most represent political groups. The strengths and weaknesses of the printing and publication law continue to be a source of debate in the media community. The law helped cause a media boom, sending many new papers to the press and providing an appeals process for refused applications. At the same time, the law expanded the scope of media crimes and stipulated prohibitions on materials that offend public morality or criticize Islam, the Emir, or the constitution. In addition, the number of media misdemeanors rose after Kuwait adopted the new law in 2008.

With its adoption of a new broadcasting law in 2007, the Kuwaiti parliament opened up licenses for new television channels and radio stations—but the legislation mirrors the restrictions and punishments included in the new printing and publication law. Although the number of television stations increased in 2008 and 2009, growth in the broadcast sector is not expected to match that seen in the print media. The popularity of online media and new media platforms, such as SMS news, offer ample alternatives.

Panelists also described the impact of the global financial crisis on Kuwait's media sector in 2009. Following the proliferation of newspapers in 2007-2008, no new newspapers appeared in 2009. Furthermore, publication of *Al Sawt* halted abruptly, leaving dozens of journalists unemployed.

<sup>1</sup> *World Press Freedom Index 2009*. Reporters Sans Frontières. Available at: <http://en.rsff.org/press-freedom-index-2009,1001.html>

# KUWAIT AT A GLANCE

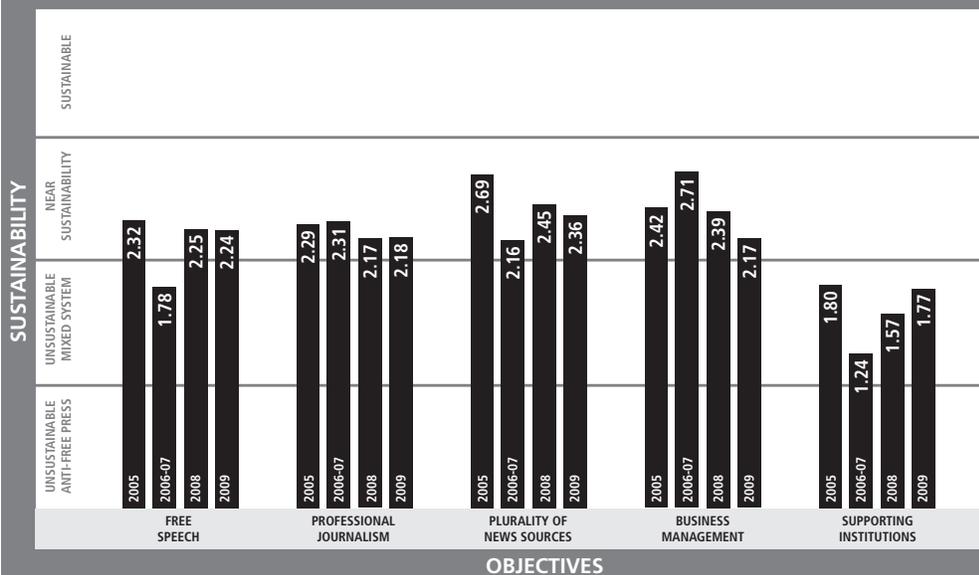
## GENERAL

- > **Population:** 2,595,628 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Kuwait
- > **Ethnic groups (% of population):** Kuwaiti 45%, other Arab 35%, South Asian 9%, Iranian 4%, other 7% (*CIA World Factbook*)
- > **Religions (% of population):** Sunni Muslim 70%, Shi'a Muslim 30%, other (includes Christian, Hindu, Parsi) 15% (*CIA World Factbook*)
- > **Languages:** Arabic (official), English widely spoken (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$116.98 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$53,890 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 93.3% (male 94.4%, female 91.0%) (2005 census, *CIA World Factbook*)
- > **President or top authority:** Amir Sabah al Ahmad al Jabir al Sabah (since January 29, 2006)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 14 Arabic language newspapers, 2 English language newspapers, some weekly newspapers, 70-75 magazines; Radio: 1 private (Marina FM) and many other state-owned stations; Television Stations: 1 private (Al Rai TV), 9 other restricted stations
- > **Newspaper circulation statistics:** N/A
- > **Broadcast ratings:** N/A
- > **News agencies:** Kuwait News Agency; it has an independent budget and 33 bureaus and correspondents outside of Kuwait
- > **Annual advertising revenue in media sector:** \$375 million in 2007
- > **Internet usage:** 1.1 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: KUWAIT



**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Kuwait Objective Score: 2.24

Kuwait's constitution guarantees the freedom of speech, and Kuwaiti citizens, with their diversity of political views and approaches, value this freedom. Article 36 of the Kuwaiti constitution outlines press freedom: "Freedom of opinion and scientific research is guaranteed. Every person has the right to express and propagate his opinion verbally, in writing or otherwise, in accordance with the conditions and procedures specified by law." Furthermore, Article 37 stipulates: "Freedom of the press, printing, and publishing is guaranteed in accordance with the conditions and manner specified by law."

But there are also vague, subjective laws that contradict key principles in the constitution, according to Iman Al Baddah, a journalist and writer. Some of these laws empower the authorities—particularly the Ministry of Information—to impose limitations on the press, and they have long prevented true implementation of free speech protections. Kuwaiti journalists are also painfully aware of "red lines" not to be crossed when covering certain topics, including the Emir, tribes, and religion.

Additionally, although the 2006 printing and publication law abolished imprisonment for journalists, often authorities deal with defamation actions under the criminal code. This law expanded the scope of media crimes, and many offenses are

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*According to Dahem Al Qahtani, a journalist at Al Rai, prison sentences are not provided for under the 2006 printing and publication law unless a journalist "insults God or the Emir," but Al Baddah noted that any citizen can sue a journalist, who may be punished according to penal law.*

worded vaguely, leading to difficulties interpreting the law and understanding its implementation. Ghanem Al Najjar, a political science professor at Kuwait University, commented that the current printing and publication law expands the number of violations with which the press may be charged, and it reveals many deficiencies in Kuwait's legal fabric regarding media freedom.

According to Dahem Al Qahtani, a journalist at *Al Rai*, prison sentences are not provided for under the 2006 printing and publication law unless a journalist "insults God or the Emir," but Al Baddah noted that any citizen can sue a journalist, who may be punished according to penal law. Ibrahim Al Mlaifi, a journalist at *Al Arabi*, also noted that the laws in Kuwait permit litigation for political causes.

Panelists agreed that the real risk for journalists is that the printing and publication law opens up a dangerous path to penal law. At its most severe, this law may allow for a journalist to be sentenced to death for publishing anything "seeking to change the regime." Al Qahtani commented, "Journalists may be held in the state security headquarters—as though they threaten the country's security—while the mission of this state apparatus is to face terrorist groups."

Yet most of the panelists agreed that the judicial system in Kuwait supports journalists strongly—the panelists estimated that 99 percent of court decisions are in journalists' favor, especially regarding their right to protect sources. Al Najjar also remarked that Kuwait's media enjoy a high ceiling in the sense that no one other than the Emir is protected explicitly in the media, and the panelists pointed to more press criticism of the ruling family in 2009.

However, media outlets also face the threat of bans. RSF condemned the information minister's decisions to ban a satirical television program, *Sawtak Wasal*, on Scope TV, a private outlet, in August 2009, for its parody of Kuwaiti politicians.<sup>2</sup> RSF wrote, "The ban has triggered an outcry from

<sup>2</sup> "Ban on satirical TV program damages Kuwait's image." Reporters Sans Frontières, September 1, 2009. Available at: <http://en.rsf.org/kuwait-ban-on-satirical-tv-programme-01-09-2009,34367.html>

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civil society leaders and parliamentarians, who have voiced concern about this step backwards for free expression and the damage to Kuwait's reputation in the Arab world. At the same time, it has led to self-censorship on the part of other television stations, with *Al Watan* deciding to withdraw one of its own satirical programs."

No official restrictions guide the authority's approach to Internet media, although some panelists said that the Internet is covered by the provision of 2006 press law that mentions: "any other publishing tools." Beyond that, the prosecutor general, Hamed Al Othman, has said many times that there is a will to prepare legislation that criminalizes web content promoting vice, incitement against the country's leadership, divulging state secrets, or insulting Islam. He indicated that a draft bill is in progress that proposes sentences to up to one year in jail and/or a fine for convicted offenders, and seven years in prison if their victims are minors.

Regarding the freedom of expression more generally, the panelists pointed to cases in 2009 in which politicians paid a price for exercising this right. On April 17, police detained former member of parliament Dhaifallah Bu Ramya for his comments during an election rally. He declared that the minister of defense, Sheikh Jaber Mubarak Al Sabah—a senior member of the ruling family—is unfit to become prime minister. Bu Ramya faced charges for questioning the powers of the Emir, who appoints the prime minister. After a three-day detention, authorities released Ramya on bail. A couple of days later, police detained parliamentary candidate Khalifa Al Kharafi for saying during a television interview that neither the Emir nor the defense minister possess the power needed to run the state. But no charges were brought against him.

According to Iman Hussein, a journalist at *Al Jarida*, licensing of newspapers is just. She said that many political groups with vastly different ideologies have launched newspapers. She added that political groups own many television stations also, although ownership is not always reflected in program content. Hussein commented that some people who have obtained newspaper licenses have failed to publish, perhaps because of the current market saturation.

Al Qahtani shared his view that licensing is no longer a problem in Kuwait, and Al Mlaifi agreed, noting that while few licenses were issued in 2009, this could be explained by low demand. In the event that a license is denied, the law now provides an appeals process, and the panelists pointed to progress with such efforts. Still, they also noted an indirect restriction: steep license fees. A newspaper must deposit \$950,000 to obtain a license, a television station must pay more than \$1 million, and a radio station must put down about \$300,000.

Television continues to be a weak medium in Kuwait, although some stations opened in 2009 and programs showed some progress with diversity and professionalism. In addition, some newspapers received television licenses along with their publication licenses. A handful of stations, including *Al Rai*, *Al Watan*, and *Al Shahed*, pair with newspapers. Many television channels have obtained licenses but still have not launched operations.

Market entry is relatively free for media outlets, once they pass licensing hurdles. Taxes do not apply, and panelists agreed that the parliament would likely never approve proposals to set new taxes. Kuwait is a tax-free country: there is no sales tax, and there is no individual income tax, other than *zakat*—charitable deductions required of Muslims.

Panelists agreed that crimes against journalists in Kuwait are very rare, and when they occur, usually individuals are responsible, rather than organized efforts. For example, sometimes police treat photographers, or journalists covering accidents, harshly. The panelists emphasized that greater punishment of such behavior would prevent its recurrence and hinder any police attempt to breach the law. According to Hussein, though, no incidents in Kuwait are serious enough to be labeled "crimes against journalists."

Public media, essentially Kuwait TV and the Kuwait News Agency (KUNA), are fairly limited, leaving little basis on which to compare competitiveness with private media or evaluate favoritism toward state media. However, in one advantage for public media, typically the Ministry of Information releases its news through public channels.

Al Najjar noted that Kuwait has no public newspapers but it is difficult to classify newspapers outside of that, given that many fully represent the government but are owned by the private sector. It is also public knowledge that senior governmental officials finance and support some newspapers, so those outlets may receive preferential treatment in the form of special access to information—but the panelists said that happens only rarely.

Criticism of senior government officials, including ministers and the prime minister, remained widespread in 2009, and many lawsuits were filed in response. Media legal actions have increased in Kuwait recently, mostly through personal cases brought to courts by individuals—including deputies. Most panelists said that they consider it a very positive attribute of free speech that executive authorities bring cases to courts as opposed to unilateral action. Although the 2006 printing and publication law abolished imprisonment for journalists, often defamation actions fall under the criminal code. *Hesba* lawsuits (filed by individuals or groups that believe that God has been insulted) remain a concern, with

outspoken writers, filmmakers, and poets targeted. The law also mandates jail terms for anyone who “defames religion.” Defaming religion is punishable with a one-year prison term and a fine of about KWD 20,000 (about \$75,000). The number of such cases filed against journalists and television stations continues to increase. Many cases were filed during 2009, and most resulted in fines.

The panelists described two prominent libel cases heard in 2009. In November, police held journalist Mohammed Abdel Qader Al Jassem at the headquarters of the criminal investigation department, following a libel suit by Prime Minister Sheikh Nasser Mohamad Al Sabah. Al Jassem faced charges of making slanderous remarks against the prime minister during a *diwaniya*, a traditional meeting to discuss issues of the day. After Al Jassem refused to pay bail of KWD 1000 (about \$3,500), the police held him for 12 days, until the court set another hearing. He then paid the bail and was released.

In another case, police arrested former parliamentary candidate Mohammed Al Juwaihel on December 24 upon his return into the country, on charges of broadcasting without a license, making false claims, and compromising national security. Some MPs took offense to remarks broadcast by Al Juwaihel’s satellite television station Al Soor. Al Juwaihel was released on a KWD 5,000 (about \$18,100) bail on December 31.

Kuwait still lacks a law to ensure access to public information, although Al Qahtani noted that some NGOs have called for a law ensuring greater access. In practice, access varies a great deal and depends on the type of information requested. Some news, declarations, or press releases are sent to all media, on a just and equal basis, while some important information is limited to journalists that have connections and the proper path to sources. Several panelists confirmed the importance of personal connections in obtaining public information. According to Al Najjar, a journalist cannot go to a public institute and ask for information. It is also well known in Kuwait that often journalists try to call ministers privately for more information following meetings of the council of ministers.

The panelists noted that journalists have much better luck accessing international news. “It is not easy to get true and credible public information, yet it is so easy to get international news, especially on the Internet,” Hussein remarked. Fares Al Salman, head of *Al Anbaa’s* parliamentary section, noted that most local media outlets depend on government ministries for local news, while international news comes from foreign news agencies, to which all newspapers have access.

On the other hand, panelists said that it is common knowledge that many journalists essentially buy their access to information (and compromise their objectivity) by drawing “monthly salaries” paid by some officials, politicians, or social figures, in exchange for influence in their coverage. Al Najjar said that every newspaper has journalists that work as delegates to ministries, and in one way or another these journalists are being led by the key powers in the ministry. The journalists fear that otherwise, their contacts will cut off future access to information.

The government places no restrictions on entering the journalism profession, nor do journalists receive any special rights. However, reporters must have authorization from the Ministry of Information, and foreign media correspondents need permission in order to work in Kuwait. Al Najjar commented that many journalists work in the public sector also, despite a public service law (provision 25) that forbids public employees from working in any other job.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Kuwait Objective Score: 2.18

The panelists did not report any improvements regarding professional standards of journalism. Professionalism varies among media outlets in Kuwait, but overall the trend of weak commitment to quality journalism continues, especially regarding news writing, style, and accuracy. Many newspapers show a particular weakness in editing and run stories with grammar mistakes. Media members rarely discuss this shortcoming, further reinforcing the idea that it is acceptable practice.

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

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The quality of layout and design also varies greatly among newspapers. Although some have well designed pages, others appear unprofessional. Al Salman expressed the opinion that while some newspapers may show professionalism in layout, appearance, or printing quality, they still suffer from the pressing and widespread issue of poor news writing.

In particular, the panelists expressed varying degrees of concern about the lack of objectivity in news reporting. While Al Najjar said that he sees little objectivity, Al Mlaifi noted that this has not always been the case; reporting was stronger when Kuwait had only five newspapers (before 2007), he said. After the newspaper boom, new publications hired people with low professional standards, dragging down the quality of reporting. However, panelists noted that the growing number of newspapers is likely to boost competitiveness in the long term.

On the question of balance and objectivity in reporting, Al Najjar divided reporting into two categories: local and foreign coverage. Standards are especially low in local news; reporters seem uncertain of facts, or might base their work on anonymous sources. Foreign reporting, on the other hand, appears to be more objective—perhaps because it is issued mostly from outside Kuwait, through a foreign editor or news agency.

Generally, Kuwait media outlets fail to abide by professional standards. Al Azemi, a reporter for *Al Watan*, agreed that professional standards in Kuwaiti media are very low, except for a small minority of journalists. Al Salman noted that typically, newspapers are not very interested in the academic degrees of applicants for journalist jobs, and even if a journalist is prone to many grammatical errors, the desk editor will edit what the journalist writes. He added: “Unfortunately, this kind of journalist is the most common in Kuwait—particularly among Kuwaitis, not among foreigners working in Kuwait.”

As in the case of professionalism, journalists vary in their respect for ethical standards, and Hussein noted that newspapers and television differ in their ethics. The panelists also said that sometimes journalists exercise their freedom irresponsibly, attacking political views, persons, or ideologies, which has led to some lawsuits. An example of the panelists’ ethical concerns is the attacks on individuals appearing on television, without clear norms of protection. Al Najjar said that the implementation of international guidelines prohibiting hate speech and media attacks on individuals needs to be enhanced in Kuwait, and Al Baddah pointed to the need for a code of ethics, separate from the law, to enhance adherence to ethical standards.

Al Qahtani emphasized that in Kuwait, no separation exists between a media outlet’s editorial line and the political leanings of its owner. According to Hussein, sometimes when a newspaper owner decides to launch a certain campaign, the journalists disregard ethical standards and objectivity to support the owner’s goals.

Again in 2009, newspapers produced many examples of unprofessional use of print media as a forum for reciprocal attacks between owners or political opponents, ranging from sarcasm, rudeness, and personal attacks to defamation and libel.

Despite a good measure of media freedom, self-censorship persists in Kuwait media, especially in newspapers, according to some of the panelists; Al Najjar emphasized that this is the most dangerous type of censorship. In general, journalists in Kuwait are used to not crossing “red lines.” Journalists exercise caution also when reporting on leaders of Arab and other nations, to avoid disturbing relations with friendly countries.

Kuwaiti media cover key events fairly well, but not always in great detail or objectively—especially with stories on political groups or key figures. In general, stories about the Emir, tribal issues, and religion are off limits. Al Mlaifi also noted that in some cases, newspapers defy the orders of the attorney general and publish articles about issues that he has banned expressly.

In terms of job security and standards of pay, the standard of living in oil-rich Kuwait is relatively high, and about two-thirds of all residents are foreigners. Typically, media institutions employ many foreigners, especially Lebanese, Egyptians, Syrians, Palestinians, and Jordanians. Generally, foreigners find higher salaries in Kuwait than in their native countries.

Most local journalists hold extra jobs, often at public institutions. Al Salman said that journalist salaries are low and do not allow for making a decent living, so they deem extra jobs necessary. Other panelists said this trend may reflect the status quo for many Kuwaitis in other fields as well, who hold more than one job. Furthermore, the panelists mentioned, journalists in Kuwait are not eligible for social security so they have more anxiety about planning for the future.

In addition to taking on second jobs, journalists accept gifts from politicians or key persons as a fairly common practice. In some cases, such gifts might even amount to informal monthly salaries. Al Najjar confirmed this phenomenon in last year’s MSI, adding that some journalists simply go and pick up an envelope with money each month from politicians or other influential people, and some journalists specialize in distributing money to other journalists. In

exchange, journalists might pass on inside information about a newspaper's planned stories. According to Al Najjar, in this way "all newspapers are breached."

News and information are balanced mostly, especially in newspapers. Some newspapers devote substantial space to cultural and scientific topics. Television stations, on the other hand, devote more time to pure entertainment programming at the expense of news or culturally valuable programming. The problem is particularly pronounced with public television stations.

Most media institutions are fairly well equipped, with modern facilities, and follow sophisticated procedures throughout the phases of production. As reported in last year's MSI, public media now have updated equipment as well. With just a few exceptions, newsrooms are computerized and linked to news agencies. Most newspapers now have their own websites. In addition, many newspapers are distributed promptly.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Kuwait Objective Score: 2.36

A diverse array of media outlets, including many credible sources, inform Kuwait's citizens, the panelists said. With the relatively new printing and publications law, private newspapers have received a great boost, and they now claim the greatest distribution in the country. However, many newspapers stick to one political perspective, and people often restrict themselves to one or two newspapers to which they are accustomed or that fit their political or ideological

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

path. Politicians, on the other hand, often read most of the newspapers.

Mobile services continue to play an extremely important role in keeping Kuwaitis well connected and informed. SMS remains the most essential form of news flow in Kuwait, especially for urgent matters. The Internet is another vital and essential form of communications. The popularity of blogs continues to climb, as well, with a number of bloggers addressing political, social, and entertainment topics.

According to Hussein, newspapers and television alike concentrate heavily on local news and tend to fixate on politics. Furthermore, broadcasting outlets are still limited, with few radio and television stations. Kuwait has one public television station (Kuwait TV) and five private stations: Al Sabah and Scope, launched in 2009; and Al Shahed, Al Soor, and Al Adala, launched in 2008. All five remain weak compared to the previously launched private stations Al Rai and Al Watan.

Foreign publications that obtain official permission are allowed in Kuwait. One example is an Indian paper that serves Kuwait's large number of Indian residents. The government places no limitations on foreign agencies that send news to media outlets; media editors and owners make the final publication decisions on such materials.

Almost all homes in Kuwait have access to satellite television, which eclipses local stations and offers less filtered access to foreign news. Satellite television expands options immensely, providing Kuwaitis with about 500 channel choices. Some foreign radio stations are very familiar in Kuwait as well, especially the BBC and Radio Sawa. A handful of local stations, mainly Marina FM and Kuwait FM and the newer Mix FM, draw large audiences as well.

Although in theory, citizens have access to all media outlets, the government bans some foreign publications and blocks websites that it deems offensive. Often, the government cites "national security" to justify its decisions to block political and religious websites. As Al Najjar explained last year, Internet providers as well as the government may block websites. Although it lacks the legal authority, the Ministry of Interior sometimes directs Internet providers to block some websites. Aside from posting a notice on the blocked website, there is no legal way to protest website bans. Yet savvy consumers are learning how to bypass the blockades; the Al Jarida website even published directions for one method for its readers.

The printing and publication law does not apply to the Internet, but the government is showing signs of moving to impose more restrictions on online news. As mentioned previously, General Prosecutor Hamed Al Othman has

announced his efforts to prepare a bill that criminalizes promoting vice, incitement against the country's leadership, divulging state secrets, or insulting Islam on the web.

As noted in last year's MSI, public media reflect the official viewpoint primarily.

The public news agency KUNA gathers and distributes a wide variety of news, but the panelists commented that outlets cover local news with less diversity in viewpoints. Kuwait still has no independent news agencies, and media outlets depend on the main foreign agencies, including Agence France-Presse, Reuters, Associated Press, and Deutsche Presse-Agentur.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Kuwait Objective Score: 2.17

Much of the panelists' discussion of media business management focused on the print media—particularly newspapers, given their dominance in the media landscape. Most media outlets are in fairly good standing financially, and some are profit-minded. Other outlets seem indifferent, content to rely on strong political, ideological, or family support, and backing by huge budgets and supplies from allies. Panelists noted that financial problems led to the shutdown of one paper, *Al Sawt*, in 2009, bringing the total number of newspapers in the country to 14.

Al Salman added that influential people own most newspapers in Kuwait, and they tend to impose their views on their newspaper. Thus, greater financial security does not always equal editorial independence in Kuwait. Al Azemi

### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

#### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

argued that there is no true editorial independence in Kuwait, since each media outlet is either a business project or a podium for some ideologies and personal opinions.

The Kuwaiti government does not subsidize independent media. Bulk subscriptions are the only form of subsidies that the government offers; for example, the Ministry of Information buys about 1,000 subscriptions from each newspaper. Hussein commented that before the press law of 2006, the government offered KWD 20,000 (about \$72,400) to each newspaper in addition to land grants, but assistance dried up because the new law has allowed so many new newspapers to join the market.

Despite the increase of newspapers owned by different political groups—and the increasing diversity of consumer interests, from an advertising perspective—advertising revenues have not diffused to new newspapers. The older papers still tend to possess bigger shares, due to their longstanding cooperation with advertising companies. Al Salman noted that in 2009, some newspapers, especially the older papers, pulled in huge advertising profits.

Securing advertising has proved a much greater struggle for most of the newly launched newspapers. Still, panelists expressed optimism that the advertising booms that come along with occasional events—national holidays, deaths of important figures, or visits from foreign leaders—may extend to the newer newspapers eventually. During these events, some newspapers seem to double or triple their size—sometimes exceeding 160 pages. In this case, the advertisements get lost in the pages, casting doubt on the effectiveness of this approach by advertisers.

Media outlets prepare advertising strategies, trying especially to market their products to advertising companies and to tailor themselves to the needs of the market. But ultimately, the advertising companies make most of the advertisement placement decisions.

Some newspapers conduct independent research and studies to inform their programming and marketing decisions, and sometimes they seek help from advertising companies to conduct the studies. Such research remains unusual, however.

Although print circulation numbers can be obtained, there is a cloud of doubt surrounding them, and a perception that the numbers are abstract at best and misleading at worst. Hussein said that the companies that measure ratings and circulation are corrupt, and essentially sell rankings. As Al Najjar charged in the 2008 report, other companies that evaluate circulation figures provide inaccurate numbers despite their long histories of operating in Kuwait. It appears that sometimes they count the quantity of papers published, rather than the circulated copies. He suggested that to reveal

true circulation numbers, such companies should count the number of returned copies as well.

Moreover, the emergence of a lottery phenomenon has hindered attempts to measure true circulation. Many newspapers present expensive gifts for subscribers, and people in turn subscribe just to obtain the gifts, making it difficult to determine actual readership of the newspaper.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Kuwait Objective Score: 1.77

The Kuwaiti media sector has no trade associations. Furthermore, the panelists stressed that it is not likely that any associations will be established, as media outlets belong to political opponents and rivals that are not interested in working toward common goals. Some ad hoc gatherings for editors-in-chief take place, often in reaction to specific incidents or events.

An organization for journalists, the Kuwait Journalists Association, was established in 1964. But the panelists said that this association does not truly represent journalists; hundreds of its members are not journalists and do not pay membership fees.

As reported in last year's MSI, a journalists' syndicate was founded in July 2008 by a court order, after the Ministry of Social Affairs refused to authorize it. Some panelists expressed concern about the sustainability of the syndicate, fearing that it will collapse due to conflicts and infighting among the country's many political and ideological groups.

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Al Najjar clarified that there is an important difference between the association and the syndicate: the association can be dissolved by the minister of Social Affairs, whereas the syndicate can be dissolved only by a court verdict.

Kuwait has no real media NGOs, although the Kuwait Graduates Association includes a committee for defending journalists.

Occasionally, foreign agencies conduct journalism training programs, as does KUNA. In general, though, training programs remain rare. The 2008 MSI study reported that media faculty members at Kuwait University are interested in cooperating with foreign organizations to improve opportunities, but this year's panelists did not report any progress toward this goal.

A few key players in the country monopolize the printing paper supply, and sometimes block their competitors (owners of newspapers with different political leanings, for example) from obtaining newsprint. To get around this problem, some newspapers turn to foreign paper sources.

### List of Panel Participants

**Mona Chechter**, journalist, Kuwait News Agency, Kuwait City

**Ghanem el Najjar**, professor of political sciences, Kuwait University, Kuwait City

**Iman Hussein**, journalist, *Al Jarida*, Kuwait City

**Fares al Salman**, the head of the parliamentary section in *Al Anbaa*

**Ibrahim al Mlaifi**, journalist, *Al Arabi*, Kuwait City

**Dahem al Qahtani**, journalist, *Al Rai*, Kuwait City

**Iman al Baddah**, freelance journalist and writer, Kuwait City

**Hamad al Azemi**, reporter, *Al Watan*, Kuwait City

**Jenan Tamer**, journalist, *Awan*, Kuwait City

**Khalil Khalaf**, columnist, *Al Watan*, Kuwait City

**Shuaib al Hajri**, journalist, *Al Jarida*, Kuwait City

### Moderator and Author

**Jihad al Mallah**, consultant, Gulf Forum for Citizenship; head of foreign desk, *Al Jarida*, Kuwait City

*The Kuwait study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.*

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*Al Zuwaidi's case was the latest in a series concerning Internet blogs, forums, and websites in Oman. Journalists and bloggers have stated that they view this case as a serious threat to the freedom of expression in the country, and said that it runs counter to the interest of the state's development efforts.*



OMAN

Dashing hopes that the spreading use of the Internet in Oman could provide a more open alternative to traditional media, in 2009 the Omani government began clamping down. A major turning point was the trial of a web moderator, Ali al Zuwaidi, for criticizing the government in a popular Internet forum. The authorities questioned and detained al Zuwaidi for 11 days over an anonymous post that alluded to corruption in the state telecom firm Omantel, and for publishing a cabinet directive aimed at ending live radio phone-ins.

Al Zuwaidi's case was the latest in a series concerning Internet blogs, forums, and websites in Oman. Journalists and bloggers have stated that they view this case as a serious threat to the freedom of expression in the country, and said that it runs counter to the interest of the state's development efforts. MSI panelists said that corruption plagues some institutions, and journalists must have the right to challenge and criticize that state of affairs.

Al Zuwaidi's trial did spark calls for Oman and the Persian Gulf Arab states to ease their grip on the media and improve business transparency. For example, it prompted a joint letter from the Arabic Network for Human Rights Information and Reporters Without Borders on March 25, 2009, which expressed great concern over the case. The joint letter, addressed to Sultan Qaboos Bin Said al Said, urged "Please do not let your Kingdom be included among those countries in the region that repress freedom of expression." Al Zuwaidi was eventually fined and given a suspended 10-day jail sentence.

Following Sultan al Said's 2008 order that all Oman journalists undergo training, the question of professional development continued to generate controversy across Oman's media sector. Although many journalists consider training important and effective, others claim that it is useless, as freedom of press and expression is absent. Still, hundreds of journalists participated in the training campaign. The programs taught journalists mainly the basics of the profession, writing skills, investigative journalism, and the relationship between mainstream media and new media.

One panelist working for *Oman* said that the programs are very helpful, but not really new. She noted that the working environment is the most important issue for journalists. Many journalists are professional enough to practice media, she emphasized—the problem is the supervisors who play the role of gatekeepers.

One of the more popular seminars, "Omanization in Journalism and the Media," addressed the huge unemployment rate among Omanis—around 20 percent—and the competition between Omani journalists and foreigners in the English print and broadcast media outlets. Given the pool of skilled Arab journalists, inexperienced young Omani graduates find it hard to compete.

# OMAN AT A GLANCE

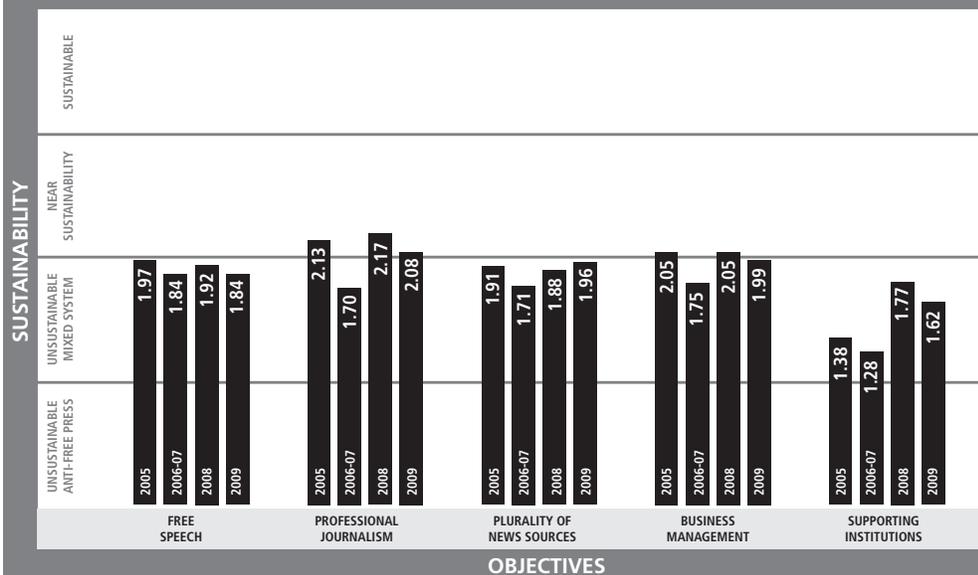
## GENERAL

- > **Population:** 3,027,959 (2011 est., *CIA World Factbook*)
- > **Capital city:** Muscat
- > **Ethnic groups (% of population):** Arab, Baluchi, South Asian (Indian, Pakistani, Sri Lankan, Bangladeshi), African (*CIA World Factbook*)
- > **Religions (% of population):** Ibadhi Muslim 75%, other (includes Sunni Muslim, Shia Muslim, Hindu) 25% (*CIA World Factbook*)
- > **Languages:** Arabic (official), English, Baluchi, Urdu, Indian dialects (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$49.83 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$24,530 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 81.4% (male: 86.8%, female: 73.5%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Sultan and Prime Minister Qaboos bin Said al Said (sultan since July 23, 1970 and prime minister since July 23, 1972)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 9 dailies (5 in Arabic, 4 in English), 40 other newspapers and magazines, 13 bulletins; 8 media establishments and 70 printing presses Radio Stations: 2; Television Stations: 2 (Ministry of Information)
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al Watan* (circulation 34,000), *Times of Oman* (circulation 34,000), *Oman Daily* (circulation 26,000) (Arab Press Network)
- > **Broadcast ratings:** N/A
- > **News agencies:** Oman News Agency (state owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 1.46 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: OMAN



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Oman Objective Score: 1.84

Oman continues to score in the unsustainable, mixed-system category for freedom of speech. Although the Basic Law of Oman—its constitution—guarantees the protection of free speech, it falls short of providing a bulwark against attempts to curb such freedoms. For example, Oman’s 1984 press and publications law is considered one of the most restrictive in the Arab world, and the calls from the media sphere to change it have been ignored. Furthermore, many unwritten rules restrict journalists.

Salem Al Tuwiyah, a blogger who participated in the MSI panel, said that Oman’s constitutional rules do not grant the freedom of expression—in fact, they punish journalists and prevent them from publishing freely. He expressed particular concern over the publication law and the telecommunications law. When the government decided that these two laws were not enough to prevent journalists from covering sensitive issues, such as disclosing corruption, lawmakers introduced an amendment to the telecommunication law in order to punish those who “abuse the use of the communication tools” with jail sentences and fines. By that definition, offenders can include journalists and publishers as well as anyone who sends a text message.

Any publishing of “secrets” is likely to draw punishment—depending on the people enforcing the law and their interpretations, not on the law itself. As examples, al Tuwiyah mentioned the blocking of Sablat Al Arab forum in 2008 and the more recent trial of Ali al Zuwaidi.

Wardah al Lawati, a senior reporter at *Oman*, said that the state-owned media have less freedom than the private media organizations. But most panelists agreed that the freedom of press—whether private or state-owned media—is very limited, despite appearances that privately owned media have more freedom. MSI panelist Faiza al Himli, who has worked for several newspapers and magazines in the private sector, said that the laws in Oman are neither clear nor specific, and do not encourage the freedom of expression or the freedom of the press. But another MSI panelist, Hamood al Touqi, owner of *Al Waha* and a former reporter for *Al Waten*, shared his view that the clarity of the laws in Oman makes journalists’ work easier. The publication law prohibits writing or talking about politics and religion in a way that might raise problems between people. Laws in Oman directly prohibit criticizing the sultan.

Furthermore, some of the “laws” that curtail journalist efforts most effectively are unwritten. Social protection of free speech is weak as well; society’s calls for freedom are fickle and depend on the issues.

Just a few years ago, Oman had a very limited number of media outlets, but in the past eight years, the market has witnessed establishment of many newspapers, magazines, and radio and television stations. All these institutions require permission from the Ministry of Information to launch. Al Tuwiyah shared the view that the Ministry of Information, which controls the licensing process, employs a competitive process. To support his view, he cited the publication law’s chapter 2, article 4, which stipulates that any person seeking to establish a publication should obtain permission from the Ministry of Information. Article 6 sets forth appeals procedures, stipulating that any applicant refused by the ministry may write a letter of grievance to the committee of publication, part of the ministry. However, he agreed that in all cases, permission is not granted without the approval of the minister of information.

Speaking from personal experience, Aziza al Habsi, a journalist retired from *Oman* who tried to establish her own magazine, said that the Ministry of Information controls all licensing decisions strictly. The ministry demands financial conditions that are nearly impossible for average professionals to meet, making it very hard for journalists to establish their own media projects.

The ministry requires OMR 500,000 (\$1,300,000) to establish a newspaper, and OMR 250,000 (\$650,000) for weekly and monthly periodicals and magazines. In general, only powerful business owners or individuals with close ties to the government have this amount of capital. In addition,

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

the ministry grants licenses only to enterprises that the government trusts will follow the written and unwritten laws—whether or not they can afford the deposit.

Legal protection in Oman is not enforced or is very weak, said al Tuwiyah. As a result, many writers use pen names. Authorities have investigated, threatened, and arrested some writers that are not well known. Al Tuwiyah mentioned the al Zuwaidi trial as an example. He said that al Zuwaidi was tortured psychologically after his arrest, then gave a false confession of publishing what was considered a top confidential document.

Al Zuwaidi has written for many Omani newspapers since 1986, including *Oman*, *Al Watan* journal, and *Al Omaniah* magazine. In addition, he was a regular Internet writer, especially in forums visited by many Internet activists in Oman. In August 2008, while moderator of the discussion forum “Sablat Oman,” he allowed the publication of an article on the suspicions of corruption surrounding the Omani telecommunications company Omantel. The article was based on a formal complaint filed by Mohammed Bin Ali al Wuhaibi, the executive manager of the company. Officials in the forum removed the article, signed “from anonymous writer,” but al Zuwaidi was detained in August 2008.

Prosecutors alleged that the story violated article 61 of the Omani communications law, amended in 2008, which stipulates punishment for “anyone who uses a system on a device or a means of communication to direct a message while knowing it is untrue or causes harm to a person or a service.” Under this article, violations are punishable by up to one year in prison, and fines of up to OMR 1000 (approximately \$2,600), or both.

Al Zuwaidi faced a second charge under more general professional secrecy laws within the standard criminal code. That charge was for leaking a confidential Council of Ministers document that related to a radio program, *Haza Al Sabah (This Morning)*. The show had been used as a live forum for the public to criticize government performance, until allegedly the ministers decided to cancel it.

In a verdict announced in April 2009, al Zuwaidi was found not guilty on the first charge, violating article 61. He was found guilty on the second charge, sentenced to 10 days in prison, and ordered to pay a fine of OMR 200 (\$520). He was released, though, as his time served following his arrest exceeded 11 days.

A blogger on the MSI panel characterized the case as a settlement of accounts and a punishment for al Zuwaidi for continuing to express his opinion and criticize the government and the telecommunications sector (many Internet activists complain of poor service.)

Al Tuwiyah offered examples of crimes against journalists, but also said that investigations, arrests, and threats do not happen very often, because the government has found self-censorship to be such an effective tool.

Regarding access to information, Bader al Nadabi, a director in Oman Radio, said that access is very much restricted. Al Touqi confirmed that the Oman News Agency (ONA) is the only official source of government news and information. Journalists cannot publish news about the government if ONA has not confirmed the story, unless an official talks publicly about the issue.

Al Himli currently works for the Royal Court in the media department. She left her positions at private media outlets because of their limited freedom of the press and restrictions on journalists. Now, al Himli is tasked with providing journalists with certain and limited information. She said that the Royal Court is one of the most powerful ministries in Oman, and its employees use their power to pressure journalists and media. The media department issues orders to journalists on acceptable reporting topics.

As noted in the 2008 MSI, journalists can access news from foreign sources and the Internet without restrictions, except for stories that Oman or friendly states would consider sensitive.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Oman Objective Score: 2.08

The panelists scored Objective 2 the highest among all the categories, though on the MSI scale, its score is still relatively low. In general, the panelists had the opinion that journalism in Oman meets professional standards, although the lack of freedom and access to information weakens journalists' efforts. Panelists were divided as to whether the journalists or the media organizations are responsible for the dilution of professional standards, with some believing that journalists are professional enough, but others accusing journalists and writers of a biased approach. They said also that aside from coverage of sensitive topics, media organizations would give equal opportunity to all sides to present their cases, but such a balance is not possible on issues related to people with financial or political power.

Al Habsi said that objectivity is absent in journalists' news reporting, due to a limited number of professional journalists. As an example, she pointed to *Oman*: in the past four years, its most professional journalists have resigned because of the poor working conditions and the lack of appreciation for their work. Al Habsi said that such conditions affect journalists' performance, and have led to dependence on

young, inexperienced journalists. Most privately owned media do not hire trained journalists, tending to employ less expensive novices.

The panelists underscored that the ongoing difficulty of obtaining information is a major impediment. According to al Lawati, most journalists try to include different sources, but there is a serious lack of transparency among sources—especially government sources, which frequently deny any information journalists use.

The 2008 MSI panelists noted that Omani journalists still have not adopted a collective code of ethics, nor do any media organizations in Oman have an ethics code. Still, Omani journalists show an acceptable adherence to ethical practices on their own, according to that year's MSI, with the exception of some media organizations.

Censorship, especially self-censorship, is one of the main obstacles to the advancement of journalism in Oman. Al Lawati said that certain issues and cases are considered sensitive, and journalists find it impossible to write or report about them. One journalist said that writers for the state-owned Oman Radio and Television must obtain approval for their writing; every single day, writers have to consult with higher-ups before using a word or a phrase that might be used for the first time or in a different context.

Al Nadabi remarked that the pressure to self-censor is a nightmare for journalists. He said that he understands journalists' hesitation: punishments for veering from safe topics can be severe. Journalists are afraid of losing their jobs, and are highly aware that any suggestion of criticism of the government can lead to their detention or questioning by the authorities. One 2008 panelist noted that typically, editors prefer to accept commercial influence over the challenges of upholding professional and independent editorial policies. Often they censor their reporters to the point that the original piece bears little resemblance to the published product.

Al Lawati noted that the media do not cover many important events, such as political issues, likely to generate controversy. Human rights and corruption topics are very sensitive for Omani media, and they find it very difficult to deal with those topics or track related cases. Some journalists dare to challenge norms and regulations, and are then punished. But in general, journalists are forced to ignore such sensitive cases, because they are afraid of consequences for themselves and their families.

Al Touqi expressed the belief that it is possible to report on and discuss publicly virtually everything, except the sultan or the royal family. But he added that journalists are not professional enough in dealing with some issues, such as hard news and serious affairs. The media tend to fill space with entertainment

stories rather than covering news and issues relevant to the community. Journalists have little freedom to pitch their own story ideas; they follow topics as directed by editors.

According to al Lawati, journalist salaries are high enough to keep them away from bribes and corruption. But another panelist disagreed. As noted in the 2008 report, private journalists, in particular, do not make a lot—salaries can be as low as \$500 a month. This gives them little incentive to turn out more professional work, some panelists said. Al Tuwiyah mentioned that some journalists specialize in favorably covering news related to powerful, influential individuals and in exchange receive money, travel tickets, and even land—essentially serving as public relations agents to maintain shiny and clean images for these VIPs.

On the other hand, al Touqi maintained his position that journalists do not meet journalism standards, and that many media workers are just looking for a job that provides a monthly paycheck, and have no other professional goals.

As noted in the 2008 MSI, the split between news and entertainment is different in broadcast media than in print. Newspapers tend to present greater balance between news and entertainment, while entertainment dominates radio and television clearly.

Panelists said that media facilities are well equipped generally, with modern technology. The government's large digital studio complex has kept pace with the latest techniques of broadcasting and television, enhancing the possibilities of production and broadcasting and leading to more efficient broadcast operations and superior reception. The complex, housed within the Ministry of Information,

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

includes digital studios, four floors with a total area of 21,000 square meters, and accommodates up to 13 studios.

Given the degree of censorship and self-censorship seen across the media, investigative journalism is rare in Oman. Journalists that pursue investigative reports have little hope of publishing them. Quality specialized reporting is also rare; for example, journalists covering economic issues often repeat information given by their sources without adding any analysis.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Oman Objective Score: 1.96

By the end of 2009, Oman had nine daily newspapers, with four in English. *Al Roaya*, an economic paper published in Arabic, is the newest newspaper. For the English-language print media, *Oman Daily* was introduced in 2009. Also in 2009, a number of tabloid-sized magazines emerged, such as the weekly *CARS* magazine. Four other magazines were published in 2009, three of them monthly. They include *Al Thaqafiya*, by Sultan Qaboos Center for Islamic Culture; *Al Shura*, by the Oman Consultative Council; and *Al Mustaqbal*, by Mazoun publishing house. In addition, the Oman Association for Fine Art publishes the quarterly *Al Berwaz* magazine.

Most of the journalists serving on the panel agreed that citizens have access to multiple news sources, and to the extent possible, the sources provide citizens with reliable and objective news. Al Lawati stressed her belief that there is plurality in public and private news sources, including print, broadcast, and Internet materials, and that these sources are affordable.

Al Himli, on the other hand, argued that news sources might be many in number, but they are lacking in originality or quality. The country has many newspapers, radio stations, and television stations, but all of them share the same sources and format, she said; people read, see, and hear the same piece of news or information regardless of the channel. Most media outlets are reluctant to stand out with original content, for fear of unwanted attention from the government. Al Himli brought up the example of swine flu. All media outlets dispensed information directly from the Ministry of Health; no one tried to investigate or find another source of information at a time when people were hungry for more accurate information.

The 2008 MSI noted that the Internet is available widely in Oman—but professional, independent news websites are not stepping in to take advantage of the relative freedom that the Internet offers. Still, the 2008 panelists noted, Internet forums address local events and allow some opportunities for free expression.

For the most part, citizen access to domestic and international media is not restricted, panelists said. Although most media outlets are based in Muscat, most people have access to local and international media outlets and can afford to buy or subscribe. As the 2008 study reported, Omanis tend to rely heavily on radio and television, including regional and international satellite offerings, for news. Print is less popular; the government is the biggest subscriber.

According to al Lawati, state-owned media do not reflect the views of the entire political spectrum, and in many cases do not serve the public interest. The country has no truly public media, either—only state-owned outlets, which dominate all media and the broadcast sector especially, heavily reflecting governmental news.

Oman has no independent news agencies that gather or distribute news for print and broadcast media. The only new agency in the Sultanate is the state-owned ONA, considered the government's mouthpiece. However, the 2008 MSI reported that most Omani citizens do not trust government sources, preferring to get their news from journalists directly.

In 2009, ONA introduced a new system (PTF) to broadcast and receive news through the exchange of files, allowing the agency to receive several news feeds that were not available before. But media professionals have lodged complaints about delays in news broadcasting. Media people told the MSI moderator that news about Oman is sometimes broadcast long before ONA picks it up, because the agency's decision-making officials hold news until they get approvals from higher security officials.

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Al Lawati said that journalists use international news agencies, mainly via the Internet, and benefit from their services. Yet Omani journalists generally add little local perspective to such reporting, making any changes with great caution. Al Nadabi commented that journalists can use information available on the Internet and satellite channels. But still, anything related to high government issues requires ONA confirmation.

Al Lawati said that independent media produce their own programs, albeit in small quantities. But Fatima al Ismaili, a media specialist in the Ministry of Health, said that true independent broadcast media do not exist in Oman. She said that several broadcast and print media outlets in operation are owned by business people, but they are not independent. Most media owners retain ties to the government or powerful business influences.

Al Habsi explained that independent media have tried to create their own programs, but have failed because they take orders from the Ministry of Information about the quality and sorts of programs that should be produced. Thus, she said, they do not produce news programs; only superficial entertainment programs. As an example, she pointed to HALA FM Radio, which broadcasts poor news bulletins that include soft news instead of political or hard-hitting news stories. She described the independent media as a childish imitation of the state-owned media.

State-owned broadcast media produce their own programs, but they mainly express the government's views.

Amira al Talai, a columnist at *Al Roaya*, had the opinion that media ownership is transparent enough to allow consumers to judge the objectivity of news. She said that media outlets are not concentrated in the hands of the state or a few businesspeople.

Although the panelists said that media in Oman reflect and represent a broad spectrum of social interests, media tend to focus on the official side of stories. Furthermore, sometimes powerful and high-ranking officials order media outlets not to cover certain social topics. As noted in the 2008 MSI, issues including marriage, racism, and homosexuality are considered extremely sensitive.

As the 2008 MSI noted also, Oman does not allow minorities to own media; owners and editors-in-chief have to be Omani. However, al Lawati said that Oman has no law that prohibits the publication or broadcast of minority media. She mentioned that some minority-owned newspapers written in minority languages and printed outside the country are imported to Oman.

## OBJECTIVE 4: BUSINESS MANAGEMENT

### Oman Objective Score: 1.99

The panelists agreed that media outlets operate as efficiently and professionally as political and governmental powers allow. Although the panelists said that they think that media outlets and supporting firms are profit-generating businesses, media success is relative, as the advertising market is very weak in Oman compared to neighboring countries. Another problem, as noted by the 2008 MSI panelists, is that the many media companies run by businesspeople with no journalism backgrounds might be too focused on profits, rather than producing strong reporting.

While some journalists said that media receive revenue from a multitude of sources, others said that the amount of revenue depends on the degree of loyalty to state and powerful figures. Al Lawati confirmed that although advertising is the main revenue stream for media outlets, the advertising market is not very strong. Furthermore, the older, large newspapers that started several decades ago tend to monopolize the advertisement market.

The 2008 MSI noted how new media promise to change the advertising field, opening up possibilities that might enhance independence for some private media outlets. Some media outlets now use text messaging or other platforms to advertise, as well.

Al Touqi, the owner of *Alwaha*, said that advertising agencies and related industries support the advertising market, but advertisers hesitate to put too much money in media outlets, because they do not trust the periodicals' distribution system.

### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

#### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

Al Touqi had the opinion that the media's weak content, which leads to very small readership, also plays a role in this mistrust. He mentioned also that advertising revenue as a percentage of total revenue is not in line with accepted standards at commercial outlets.

Al Lawati said that some independent media receive government subsidies, and could not survive without assistance above and beyond subsidies. However, that assistance comes in the form of easy loan terms, government subscriptions, and government advertising—all with strings attached, according to the 2008 MSI study.

Al Habsi said that most newspapers and broadcasting outlets do not depend on market research to formulate strategic plans or enhance advertising revenue. Media outlets do not use research to tailor products to the needs and interests of audiences. She gave the example of *Al Zaman*, which was first published in 2008. This privately owned newspaper is failing financially due to, in her opinion, the absence of research and strategic planning.

However, al Tuwiyah said *Al Zaman* tried to be different, and published stories that the press had not raised before, including banned topics. *Al Zaman* also published names of officials without their titles, such as His Excellence and Highness and other glamour titles, which led to the newspaper forming enemies and advertisers pulling funding. *Al Zaman* has faced censorship and close monitoring as well.

According to al Lawati, Oman has no independent organizations that provide broadcast ratings or produce reliable circulation figures. Generally, print media outlets announce any figures they wish, providing no evidence, and, panelists believe, quoting inflated numbers.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Oman Objective Score: 1.62

Again in 2009, Objective 5 drew the lowest scores from the panelists of any objective. Generally, the panelists said, supporting institutions do not exist in Oman. The country has no trade associations representing publishers or broadcast station owners.

As for associations representing journalists and media professionals, the Oman Journalists' Association (OJA) and the Oman Writers' Association (OWA) are in operation. Despite the 2008 MSI panel reporting encouraging signs of improvement from these two bodies, the 2009 panelists expressed disappointment with the associations' efforts. The two groups do not truly represent or support the interests of

journalists, panelists said, nor do they lobby the government on behalf of the media or advocate for media independence and professionalism. However, panelists said that OWA has shown more courage in making statements on behalf of journalists and writers under threat. For example, OWA supported Ali al Zuwaidi during his trial, and has stood by other writers that have been arrested or placed in custody.

OJA, on the other hand, behaves as though it is a department in the Ministry of Information, some panelists said. The OJA board includes well-known media people that are close to the government.

Al Habsi, however, remarked that professional associations are still very new in Oman, and they are busy building their capacities and organizing internal issues. They have very unclear objectives, and are not yet equipped to pressure the government to change the working environment for journalists and writers.

Oman has no other organizations devoted to supporting the media. The 2008 panelists explained that real media NGOs do not operate in Oman because of its law that prohibits NGOs from dealing with political issues. (Lobbying for freedom of speech and protecting journalists' rights are considered political.)

In terms of education and training, al Habsi said that the journalism field in Oman lacks educated, trained professionals. This shortcoming affects the quality of media production directly, and affects the profession generally. The country's colleges, such as Sultan Qaboos University, provide media and journalism training, but media outlets do not have much faith in the quality of graduates. In al Lawati's view, however, Oman does have quality journalism degree programs that provide substantial practical experience—the problems stem from the workplace. Old generations refuse new ideas, technologies, and methods introduced by younger generations, she said.

Another problem, detailed in the 2008 MSI, is that most of the public universities offer training in Arabic, while English is needed more in the media market. English literacy is necessary partly because so many sources—especially online—on topics such as economics are in English. The competition between Omani journalists and non-Omanis is felt primarily in the English print and broadcast media outlets. Very few Omanis have an opportunity to join the English publishing and broadcasting sectors, due to the language barrier. Most Arabic media organizations hire Omanis or Arabic-speaking journalists, but given the pool of skilled Arab journalists, young Omani graduates have difficulty competing.

Last year's enthusiasm about the training programs ordered by Sultan Qaboos appear to have dimmed. Al Lawati said that despite the order, short-term training and in-service

training programs remain very limited. In many cases, the classes do not allow journalists to upgrade skills or acquire new skills—rather, they tend to offer repetitive lessons on skills that the journalists have learned already. Most of the government-ordered training programs take place in in-country institutions, such as Sultan Qaboos University. Some workplaces host their own training programs, and other courses are held abroad.

The panelists discussed the “Omanization in Journalism and the Media” seminar, organized by the Omani Journalists’ Society in collaboration with the Ministry of Manpower. The Omanization process is very popular in Oman, given its huge unemployment rate of around 20 percent—considered the highest of the Gulf countries. The seminar covered four working papers on the reality and aspiration of Omanization in the journalism and media sector, the role of the liaison officer in Omani journalism, stability at work, employment of Omanis in the English-language print sector, and the media environment in Muscat. The seminar was attended by representatives from the ministry, journalism institutions, private magazines, and the Sultan Qaboos University College of Tourism; students in the university’s Journalism and Media Department; and others interested in Omani journalism and media affairs.

Panelists said that this seminar was important, as the working conditions are not fair for the younger generations, especially in the private sector. They noted that a majority of Omani journalists work for the public sector or the state-owned media organizations. Ministry representatives said that the media sector has strong potential, as Omanis have practiced journalism and other media jobs since the early 1970s and have proven that they can work in the media field at the administrative, executive, specialized, or senior management levels.

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

*Al Habsi, however, remarked that professional associations are still very new in Oman, and they are busy building their capacities and organizing internal issues. They have very unclear objectives, and are not yet equipped to pressure the government to change the working environment for journalists and writers.*

The panelists said that despite this lip service, the ministry is not serious about Omanization, especially at the management levels; most of the jobs offered to Omanis are lower-level. Soon after such media seminars are held and recommendations are issued, officials forget about them.

As noted in the 2008 MSI, each year the Diplomatic Institute (part of the Ministry of Foreign Affairs) offers training as well—including investigative reporting training—for three journalists from each media organization. Overall, many journalists complain that there are not enough in-service training opportunities.

On the surface, sources of newsprint and printing facilities appear to be unrestricted and in private hands, but anything related to publishing and distribution requires permission from the Ministry of Information.

### List of Panel Participants

**Salem al Tuwiyah**, editor-in-chief, *Al Waha*, Muscat

**Hamood al Touqi**, blogger, Muscat

**Wardah al Lawati**, senior reporter, *Oman*, Muscat

**Faiza al Himili**, media specialist, Royal Court, Muscat

**Fatima al Ismaili**, public relations officer, Ministry of Health, Muscat

**Bader al Nadabi**, director, Oman FM Radio, Muscat

**Aziza al Habsi**, independent journalist, Muscat

**Amira al Talai**, writer, *Al Zaman*, Muscat

### Moderator and Author

**Rafiah al Talei**, program director, Gulf Forum for Citizenship, Muscat

*The Oman study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat.*

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*The state owns all broadcasting outlets, and most print outlets have close ties to the government.*



QATAR

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Several dramatic and controversial developments affected Qatar's media sector in 2009. The government announced that it will unveil its first media law in 30 years by the end of 2010, to replace the outdated Press and Publications Law. For the last several decades, this law has restricted procedures on the establishment of newspapers and stipulated criminal penalties and prison sentences for libel and slander. The media community is not optimistic that the new law will work in its favor, though, as preliminary statements surrounding the draft of the new law hint toward greater regulation.

Another event that shook the media community was the resignation, under duress, of Robert Ménard, director-general of Doha Center for Media Freedom. Qatar's journalists have long suffered from the absence of a professional association to protect their rights, and Ménard ran afoul of the authorities by highlighting the need for an independent body to defend journalists. He claimed that Qatari authorities had "suffocated" the organization, and he protested the country's refusal to reform the "obsolete" and "repressive" laws governing the media that made it impossible for the organization to criticize any other country for imposing restrictions on media freedom.

Although the influential Arabic-language news television network Al Jazeera has raised Qatar's media profile, journalism in the country still has many hurdles to overcome. The constitution provides for freedom of speech and of the press in accordance with the law, but the government limits these rights in practice. The state owns all broadcasting outlets, and most print outlets have close ties to the government. In response, journalists and publishers continue to self-censor due to political and economic pressures when reporting on government policies or material deemed hostile to Islam, the ruling family, and relations with neighboring states.

The growth of the Internet and new media is providing an alternative platform. Most news outlets have associated websites, and there were 430,000 Internet users by the end of 2009. But, the authorities continue to filter political criticism, material deemed offensive to Islam, pornographic content, and online privacy resources.

# QATAR AT A GLANCE

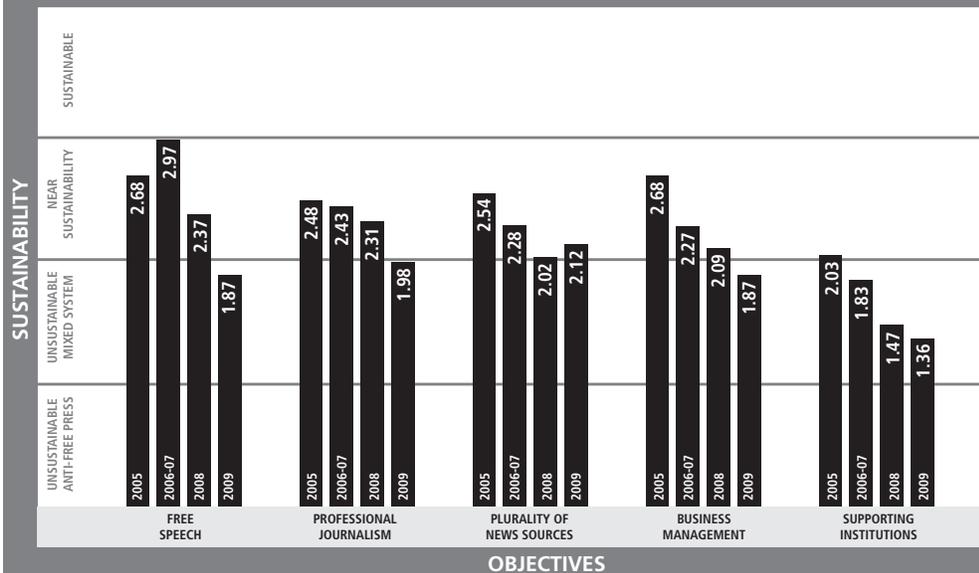
## GENERAL

- > **Population:** 848,016 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Doha
- > **Ethnic groups (% of population):** Arab 40%, Indian 18%, Pakistani 18%, Iranian 10%, other 14%
- > **Religions (% of population):** Muslim 77.5%, Christian 8.5%, other 14% (2004 est., *CIA World Factbook*)
- > **Languages:** Arabic (official), English commonly used as a second language
- > **GDP (2008):** \$113.98 billion (*World Statistics Pocketbook*, United Nations Statistics Division)
- > **GNI per capita (2009):** \$87,989 (*World Statistics Pocketbook*, United Nations Statistics Division)
- > **Literacy rate:** 89% (male: 89.1%, female: 88.6% (2004 Census, *CIA World Factbook*)
- > **President or top authority:** Amir Hamad bin Khalifa al Thani (since June 27, 1995)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 16 (6 newspapers, 9 magazines; Radio: 1 main station; Television: 3 main stations)
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al Ray* (privately owned), *Al Sharq* (privately owned), *Al Watan* (privately owned)
- > **Broadcast ratings:** N/A
- > **News agencies:** State-owned Qatar News Agency
- > **Annual advertising revenue in media sector:** \$402 million
- > **Internet usage:** 563,800 (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: QATAR



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Qatar Objective Score: 1.87

Despite vibrant coverage of international news by its flagship satellite television channel, Al Jazeera, the Qatari government continues to restrict all media from reporting on news critical of local authorities.

The panelists agreed that the constitution provides for freedom of speech and the press in accordance with the law—especially Article 47 of Qatar’s constitution, which guarantees freedom of expression. In practice, though, the government limits these rights. “The constitution guarantees freedom of expression. However, powerful families influence the content in the print and broadcast media, journalists practice a high degree of self-censorship, and reporters face possible jail sentences for slander,” said Ahmed Abdul Malik, a writer and former editor-in-chief.

The publications law governing the written press dates back to 1979, and has never been reformed, despite a dramatic transformation of the media landscape. This law imposes broad restrictions on the media. “The wording of the law allows a lot of room for interpretation, giving the authorities significant reach. At any time, the prime minister’s office can widen the list of what is forbidden, simply by notifying the media. Any breach of the rules can lead to a publication being banned, without any legal recourse, or the imprisonment of a journalist for denigration

*“Qatari press laws stipulate prison sentences for a host of offences, including criticizing religion, the army, and the royal family. Most companies are directly or indirectly linked to the government, Qatari royalty, or a powerful family, and can exert huge pressure on media outlets to stick to positive news,” commented one panelist.*

or defamation,” one panelist said. Journalists are forbidden from criticizing the government, the ruling family, or Islam, and such violations invite prosecution under the penal code. “Qatari press laws stipulate prison sentences for a host of offences, including criticizing religion, the army, and the royal family. Most companies are directly or indirectly linked to the government, Qatari royalty, or a powerful family, and can exert huge pressure on media outlets to stick to positive news,” commented one panelist.

However, Qatar will reportedly unveil its first media law in 30 years by the end of 2010—news that elicited both concern and hope in the media community. During its weekly meeting in December 2009, the state Council of Ministers reported that Qatar needs a new press and publications law to keep pace with the demands of the changing times. The Council of Ministers also stressed the importance of opening up channels of communication between journalists and government officials to make sure news is reported correctly. “The legislation is important to keep pace with the requirements of the future and current stage,” said Sheikh Hamad bin Jassem bin Jabor al Thani, the prime minister and foreign minister, at a Council of Ministers meeting.

While the release of this much-anticipated law is an important step for Qatar, there already seems to be cause for concern. In an interview with Qatari daily *Al Sharq* on October 24, Minister for Cabinet Affairs Sheikh Nasser bin Mohammed bin Abdulaziz al Thani stressed the importance of regulation and the need for more Qataris to work in the media—because any sector that is not supported by native staff can cause misunderstandings, in his view. “These statements have left journalists, especially foreign journalists, concerned that the new law might restrict certain types of speech,” one panelist said.

But another panelist expects that Qatar-based journalists will have more freedom under the new media law draft. According to the draft, journalists cannot be detained

## LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*“In Qatari culture, people tend to take criticism personally even if it is objective and directed at institutions and procedures; thus, journalists are reluctant to criticize institutions—including media businesses—with influential owners,” commented one panelist.*

for questioning by law-enforcement agencies—as is the case presently—without a court order. The draft stipulates that they cannot be jailed, but can be fined by a court for defamatory writings and the fines will start at QAR 50,000 (\$13,730) and upwards.

Journalists will have some rights to protect their sources, but could still be forced to disclose them if required by a court. They will also be free to write on all issues, except those related to national security and friendly countries.

Panelists agreed also that society does not seem to protect freedom of expression any better than the law. “In Qatari culture, people tend to take criticism personally even if it is objective and directed at institutions and procedures; thus, journalists are reluctant to criticize institutions—including media businesses—with influential owners,” commented one panelist. “What is needed is a change in mindset. If Qataris begin accepting healthy criticism as a path to progress and evolution, the problem of media freedom would be resolved automatically,” another panelist added. All panelists agreed that state-owned media, such as the Qatar News Agency and Qatar Radio and Television, receive preferential treatment for access to news. “These agencies often send delegations to accompany state officials on trips abroad,” said a panelist.

By law, all publications are subject to licensing by the government—and the panelists were unanimous that the media licensing process is extremely difficult, if not impossible, especially for daily newspapers. The concentration of media ownership within the ruling family, as well as the high financial costs and citizenship requirements to obtain media ownership licenses, continue to hinder the expansion and freedom of the press, according to the panelists.

According to the draft of the proposed press law, the authority to license and monitor the media will be vested in the Ministry of Arts, Heritage, and Culture. The publications division within the ministry will deal with the licensing of the print media, while the communications section will issue licenses for the electronic media.

Some panelists see the move as a ploy to bring back, under a new name, the disbanded information ministry that imposed media censorship until 1995. “The role the information and culture ministry played in the past in media censorship is well known; it is the same ministry with simply a changed name that is being brought back as the media licensing and monitoring authority,” noted one panelist. According to the draft, citizens who wish to apply for a media license need to be at least 21 years old, and should have at least passed secondary school. However, one panelist objected to the minimum age clause, arguing that when the voting age is 18 and the law declares a person adult at that age, they should be able to open a media outlet as well.

All panelists agree that crimes against journalists, such as physical attacks, unlawful detentions, or threats are rarely heard of or reported. “There were no reports of physical violence directed at members of the press during the year,” said one panelist, but many panelists pointed out that some journalists still suffer from several forms of intimidation. “While local journalists usually face warnings and threats whenever the government feels they have crossed a line, non-citizens employed by Qatari media outlets can face harsher measures, including termination, deportation, and imprisonment,” said Abdul Malik. Such disparity in the application of these laws for Qatari and non-Qatari journalists, who represent the majority of journalists in Qatar, is widely known. In one case, a foreign journalist was convicted and sentenced to one year in prison for slandering a Qatari citizen. As a result, most journalists resort to heavy self-censorship.

Libel still falls under the penal law. “The 1979 Press and Publications Law provides for...criminal penalties and prison sentences for libel and slander, including injury to dignity, as well as for closure and confiscation of assets of the publication. All cases involving the media fall under the jurisdiction of the criminal courts,” noted one panelist. Typically, though, few journalists go to trial because few are Qatari nationals. The government tends to react by deporting foreign journalists instead of prosecuting them.

However, Amnesty International reported that at least 11 foreign nationals were convicted of blasphemy in 2009. Three received maximum seven-year prison sentences for using words considered insulting to Islam. They included a Syrian convicted of “insulting Islam in a fit of rage” for uttering a blasphemous word when the credit ran out on his mobile phone in the middle of a conversation; the court also ordered that he be deported. It is not clear whether the government enforced prison terms for this man, or in the other cases.<sup>1</sup>

<sup>1</sup>*Qatar-Amnesty International Report 2010*. Available at <http://www.amnesty.org/en/region/Qatar/report-2010>

All panelists agree that public information is not easily accessible; essentially, there is no freedom of information in Qatar. “The privilege of information access is not available to everyone, which is a core problem for journalists. Accessibility of information from ministries and government agencies is subject to a long and complex bureaucratic process—and journalists face the same obstacles attempting to obtain information from any private sector company,” said one panelist. Another added, “The problem with local journalists, insiders would tell, is that they suffer due to a severe lack of information flow. Government officials are hard to access, and open sources are virtually non-existent. Thus, in the absence of details, journalists are often forced to base their stories on half-truths.”

Although no laws restrict journalists from seeking news from global sources, the law authorizes the government, the Qatar Radio and Television Corporation, and customs officers to censor both domestic and foreign publications and broadcast media for religious, political, and sexual content prior to distribution, which limits access to some materials.

As last year’s MSI reported, the profession is relatively easy to enter, provided one is 21 years old—and Qatari nationals are encouraged to join the field. Restrictions apply to the foreign journalists who constitute the bulk of the field, however. All foreign journalists working in the country must be accredited by the Qatar Foreign Information Agency and sponsored by a local institution or the Ministry of Arts, Heritage, and Culture. However, journalists in compliance with these rules can still be barred from entering the country.

It also appears that the new law might impose more restrictions on professionals. According to the draft, all Qatari journalists are to be appointed under the direct supervision of the Ministry of Arts, Heritage, and Culture, while editors-in-chief must be university graduates and must possess at least five years’ experience in the media field. Expatriate journalists should have degrees in mass communication and must be accredited by a committee to be set up by the ministry.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Qatar Objective Score: 1.98

Critical writing is missing from the newspapers, partly because there is no will on the part of journalists to be critical and informative, and also due to under-qualified and untrained reporters staffing the dailies, according to the panelists. They largely agreed that the professional skills of journalists in Qatar lag behind those of other Gulf countries. Given

*“Since most journalists in Qatar are foreigners, they obviously want to stay clear of trouble. No one would want to be treated like a criminal for writing critically,” said one panelist.*

the dominance of foreign journalists in the field, and the pressure they are subjected to, some panelists also suggested that it is unreasonable to expect them to take risks and work enthusiastically to promote change in a country that is not their own—and until more Qataris join the media, it is unrealistic to expect great improvement in professionalism.

As for journalists’ ethics, panelists agreed that there is no common code of ethics for journalism in Qatar, and they pointed out there is no effort from journalists, or by the Qatari Journalists Association, to formulate such a code. Despite the understanding that all journalists, both citizens and expatriates, must not accept gifts, donations or any kind of financial assistance, panelists last year reported that some journalists do accept gifts from government agencies in exchange for favorable coverage, or as a reward for backing off a critical story.

Most journalists based in Qatar are expatriates, and their employers hold on to their passports. Many are called in for questioning by the police when they displease the authorities or powerful private interests, thus many journalists are pressured into self-censorship. All panelists agreed that self-censorship is reportedly widespread among journalists and publishers due to political and economic pressures when

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

*“The salary of any journalist working in Al Jazeera is 10 times greater than any journalist working in print media,” said Abdul Malik.*

reporting on government policies or material deemed hostile to Islam, the ruling family, and relations with neighboring states. “Since most journalists in Qatar are foreigners, they obviously want to stay clear of trouble. No one would want to be treated like a criminal for writing critically,” said one panelist.

Another panelist said, “The editors-in-chief practice self-censorship, as their main aim is to stick to their chair.” Still, some newspapers offer more leeway than others. Another panelist commented, “Recently, a number of popular Qatari columnists abruptly stopped writing for a local Arabic daily, and instead began contributing to a rival newspaper—because they had been unable to express themselves freely on issues of local significance, and their writings were consigned to the dustbin. So, they were prompted to switch to the other daily in the hope that they would find more freedom.” He added, “Never before in the history of Qatari media had such a mass switch taken place.” In the case of the columnists, allegedly the editor-in-chief of the newspaper concerned imposed restrictions on their writings and discouraged critical treatment of subjects he thought might lead to trouble.

Al Jazeera is an exception. The 24-hour Arabic television channel became increasingly popular as the first Arab satellite news channel to air critical coverage of Arab regimes and cover previously taboo topics. Several Arab regimes temporarily withdrew ambassadors from Qatar or shut down Al Jazeera bureaus in their countries in response. However, as a government-subsidized channel, Al Jazeera refrains from criticizing the Qatari authorities, providing only sparse and uncritical local news.

Pressure to maintain Qatar’s image abroad leads to self-censorship as well. For example, journalists covering financial issues grapple with serious obstacles to covering economic news, out of fear of being accused of damaging Qatar’s image and hindering Qatar’s efforts to attract foreign investment. Since news is particularly hard to access in this field, they often limit themselves to relaying official statements.

Key events are generally covered, and newspapers focus on many social issues. However, some important issues are ignored, such as problems suffered by religious minorities. Last year’s report underlined the media’s neglect regarding

the Al Murrah tribes that were expelled to Saudi Arabia after they ran into difficulties with the government.

Panelists agree that journalists’ pay in Qatar is relatively low compared to Gulf region standards. Salaries vary widely between reporters and photographers working in print media, and their counterparts working in Al Jazeera channel, known for luring—and retaining—some of the most professional journalists in the country. “The salary of any journalist working in Al Jazeera is 10 times greater than any journalist working in print media,” said Abdul Malik.

Panelists agree that news and entertainment programming are not in balance in the Qatari media, especially in Qatar Broadcasting Service radio and Qatar TV. “Entertainment is emphasized over serious programming, and most spending is earmarked for entertainment programming,” said Abdul Malik.

Most media outlets have modern equipment, reflecting Qatar’s general wealth, and public media’s equipment was recently upgraded. Newsrooms are computerized and are linked to news agencies and all newspapers, television channels, and radio stations have websites.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Qatar Objective Score: 2.12

There are a number of news sources in Qatar, with four Arabic dailies (*Al Watan*, *Al Rayah*, *Al Sharq*, and *Al Arab*) and three English dailies (*Gulf Times*, *The Peninsula* and

### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

#### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*Qatar Tribune*). However, all newspapers are owned either by members of the ruling family, or businessmen with close ties to the ruling family, limiting the viewpoints offered—although there are differences based on the staff nationalities.

The situation is even more limited in the broadcast sector, as the state owns and operates all broadcast media, and there are only two television networks in the country—Qatar TV and the Al Jazeera satellite channel. While Qatar TV broadcasts mostly official news from a distinctly pro-government perspective, Al Jazeera focuses its coverage on international and regional topics, carefully steering clear of criticism of Qatar and its Gulf allies. “Al Jazeera is commissioned to focus on all news except local. The channel refrains from any criticism of its subsidizer, and covers local news only if it has an international angle to it—with no critical commentary,” one panelist observed.

The local radio station is slightly more accommodating to voices critical of government services and operations. Qatar Broadcasting Service presents English, Urdu, and French programs in addition to *The Holy Qur’aan* program.

Significantly broadening the choices, quality Internet access is easily available to all citizens. According to data from the 2009 International Telecommunication Union, 40 percent of the country’s population uses the Internet. But the government restricted the peaceful expression of views via the Internet and censors the Internet for political, religious, and pornographic content through a proxy server, which monitors and blocks websites, e-mail, and chat rooms through the state-owned Internet service provider. For example, the government blocked access to the ArabTimes, an Arab-American online newspaper, which at times published articles critical of the government. Authorities also blocked other sites such as boingboing.net, a technology and fashion site. A user who believes that a site is censored mistakenly may submit the web address to have the site reviewed for suitability—although the panelists were not aware of any websites that were unblocked as a result.

Generally speaking, most panelists agree that all media outlets in Qatar, except for Al Jazeera, present similar viewpoints. They also agreed that all of Qatar’s residents can access press publications due to their high income. Abdul Malik added, “Residents of small villages can also access media sources fairly easily because the country is so small.” As noted in last year’s report as well, television subscriptions are mostly free with the purchase of receivers that cost no more than \$200, and satellite dishes are available on the market.

While the cost may not be prohibitive, though, other obstacles apply. Panelists agree that foreign publications are

*“Al Jazeera is commissioned to focus on all news except local. The channel refrains from any criticism of its subsidizer, and covers local news only if it has an international angle to it—with no critical commentary,” one panelist observed.*

allowed in Qatar, but the authorities also control distribution of foreign media in the country, censoring any content deemed to be contrary to the country’s political, religious and moral values.

There are no independent local news agencies in Qatar. There is one state-owned agency, Qatar News Agency (QNA), which supplies local media with non-critical news, such as coverage of government activities and events. QNA produces work in Arabic, English, Spanish, and Portuguese from 7 a.m. until after midnight. Foreign news agencies such as Reuters, Associated Press, and Agence France Press are not restricted; local editors make the judgment calls whether to publish their material or not.

Radio mostly produces its own programs, although it does import a small percentage of foreign Arab programming. Television, on the other hand, only produces limited programming. Furthermore, both radio and television are not independent from the government, and thus present little material that diverges from the government’s policies.

Influential people, many with close ties to the royal family, tend to monopolize media ownership. However, as reported in previous MSI editions, it is relatively easy to access information about the shareholders of private publishers in Qatar.

#### **OBJECTIVE 4: BUSINESS MANAGEMENT**

### **Qatar Objective Score: 1.87**

Panelists agree that media companies in Qatar are successful and profitable—judging from their ability to develop facilities and expand their publications. “Newspapers are at best a business in Qatar, with profit-minded owners. Newspapers with the highest circulation thrive mostly on handouts and press releases, which tend to lavish praise on individuals or institutions, or consist of sales promotions,” said one panelist.

*“Critical writing is missing from the newspapers, partly because of the close ties between newspaper owners and government officials. The owners do not want to lose the large amount of ads that come from government ministries and state institutions,” Abdul Malik pointed out.*

As in the United Arab Emirates, Qatar’s favorable market conditions allow media businesses to thrive. The conditions are suitable for media businesses with sufficient capital to grow and prosper, particularly as human resources are widely available. Yet many panelists pointed out that business newspapers are the preserve of a few influential people; securing permission to launch new publications, whether dailies or periodicals, is not easy. Launching private radio and television stations is, similarly, out of the question. Furthermore, some panelists questioned the prosperity of state-run media outlets dependent on government funding—including Al Jazeera, which draws about half of its budget from state coffers. Given the country’s small population, subscription and newsstand sales are small, thus panelists believe the press needs to diversify its funding to gain true sustainability.

Currently, the bulk of the media’s funding comes from advertising. A survey by the Pan Arab Research Center shows that the advertising spending volume in Qatar grew by 12 percent in 2009, reaching \$402 million—despite

the global financial downturn—putting Qatar in fourth place compared other Gulf countries. Across the media sector, spending on television advertising was the greatest, followed by newspapers and magazines. Major banks and oil companies actively sponsor television and radio companies. For the media sector generally, banks and financial institutions remain the top advertisers, followed by the telecommunication service providers, automobile dealers, and real estate firms.

One panelist pointed to attempts by the government to monopolize the advertising business, now, as well—which is ironic considering that, at the same time, the government speaks of breaking monopolies and encouraging a free market economy. The government no longer provides direct subsidies to private outlets, as it did 15 years ago. Currently, the only form of indirect government support consists of bulk subscriptions and advertisements. “Critical writing is missing from the newspapers, partly because of the close ties between newspaper owners and government officials. The owners do not want to lose the large amount of ads that come from government ministries and state institutions,” Abdul Malik pointed out.

There are now three advertising agencies in Qatar belonging to influential figures in the country; privately owned Qatar Media (QMedia) is the most prominent. They tend to favor print media, believing it more effective than outdoor or broadcast advertising.

No formal statistics about Qatar newspaper ratings and circulation are available, but informally collected statistics show that the total circulation of the main five daily newspapers is about 100,000 copies per day. The top three, by circulation, are *Al Raya* (private, 18,000 daily), privately owned *Al Sharq* (15,000 daily), and privately owned *Al Watan* (15,000 daily). The two largest English newspapers are *Gulf Times* (18,000 daily) and *The Peninsula*.

**INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.**

**BUSINESS MANAGEMENT INDICATORS:**

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

**OBJECTIVE 5: SUPPORTING INSTITUTIONS**

**Qatar Objective Score: 1.36**

A major shortcoming of the media sector is the lack of an independent professional association to provide protection for journalists. While the constitution grants freedom of assembly and the right to form NGOs, administrative obstacles, including the slow pace of procedures required to form such associations, limit this right in practice. The law imposes strict conditions on the establishment, management, and function of professional societies. Barred from engaging in political matters, professional associations must obtain

approval from the Ministry of Labor and Social Affairs, which can deem them a threat to the public interest and deny their establishment. Professional societies must pay QAR 50,000 (approximately \$13,740) in licensing fees and QAR 10,000 (\$2,750) in annual fees. Registrations are valid for three years; after that, an association must register again and pay new fees. The law allows non-citizens to participate in private societies only when their participation is deemed necessary to the work of the society. The prime minister must approve their participation, and the number of non-citizens cannot exceed 20 percent of the total membership.

One panelist commented, "Qatar's government does not allow the formation of trade unions, syndicates, journalists' unions, and media organizations, leaving journalists even more powerless in the face of difficulties or possible jail sentences. With the total absence of trade union rights, there is no organization in Qatar able to defend them against their employers or the authorities."

During 2009, the government did not approve any new NGOs, and there are no independent human rights organizations. A National Human Rights Committee, consisting of members of civil society and government ministries, investigates alleged abuses. However, it is government-funded and the authorities appoint the investigators, compromising the neutrality of the reporting.

Ostensibly to protect threatened journalists and to promote the free flow of news and information around the world, the Emir established the Doha Center for Media Freedom in 2007, under the patronage of the Emir's wife Sheikha Mozah. Yet in practice, as one panelist noted, "The Doha Center has for months been struggling to keep its independence, and is under pressure from the Qatari authorities."

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

*One panelist commented, "Qatar's government does not allow the formation of trade unions, syndicates, journalists' unions, and media organizations, leaving journalists even more powerless in the face of difficulties or possible jail sentences. With the total absence of trade union rights, there is no organization in Qatar able to defend them against their employers or the authorities."*

In February 2009, the Doha Center for Media Freedom (DCMF) director-general, Robert Ménard, called for the establishment of an association to defend journalists in Qatar, saying that DCMF cannot work on their behalf. He said, "There is a vacuum because of the absence of such a union of journalists that the center cannot fill." Also early in 2009, DCMF found that the authorities denied visas for some threatened journalists, including some seeking shelter. In March, Ménard wrote an open letter to Sheikha Mozah on DCMF's website, telling her that "some people close to you and others you have appointed to senior positions at the centre were obstructing its activities," accusing members of the Qatari government of being unsupportive of the center's mission. The authorities did not appreciate Ménard's growing activism, and reacted with greater pressure on DCMF.

In March 2009, Hajar Smouni, head of research at DCMF and a former Reporters without Borders staff member, was prevented from leaving Qatar. Smouni was to have accompanied Ménard to Bahrain, to meet with Culture and Information Minister Sheikha Mai Al Khalifa and parliamentarians to discuss Bahrain's press law. On arrival at Doha airport, without explanation she was told she was forbidden to leave the country.

Then in May of 2009, Flemming Rose, the editor who published cartoons depicting the Prophet Muhammad in the Danish press, arrived in Doha as part of a UNESCO-sponsored conference. His attendance sparked outrage among some Qataris, with much of the blame directed at Ménard. A Doha mosque denounced DCMF in Friday prayers, and the Qatari daily *al Watan* accused Ménard of inviting the "Danish satan" to Doha and insulting all Muslims. "Ménard should know there is a red line in media freedom which he cannot cross," the editorial thundered. In June, a member of Qatar's Advisory Council (a 35-member legislative body appointed by the Emir) called for Ménard's dismissal.

On June 19, 2009, Ménard, along with three other DCMF officials, stepped down. According to a report by Reporters without Borders, in Ménard's view, the authorities had "suffocated" DCMF, and he protested the country's refusal to reform the "obsolete" and "repressive" laws governing the media, which, he said, "made it impossible for the center to criticize any other country for imposing restrictions on media freedom." Furthermore, he added, "Qatari officials never wanted an independent center, one that was free to express its views without being limited by political or diplomatic considerations, and one that was free to criticize Qatar itself. But how can you be credible if you say nothing about the problems in your home country?"<sup>2</sup>

Reporters without Borders also expressed its disappointment with Ménard's treatment, noting, "Ménard and his staff were targeted as soon as they criticized press freedom violations in Qatar, although it was a prerequisite for the center to be credible. Several of the Emir's aides did not understand this."<sup>3</sup>

As last year's MSI reported, training options are limited for aspiring Qatari journalists, and current professional hoping to hone their skills. Journalism education is limited, and many of those who study journalism go into other fields. Qatar University's media department graduates usually go into government jobs; no more than 25 percent work in the media field.

The Al Jazeera Media Training and Development Center conducts training programs. Established in 2004 by Al Jazeera, it was set up on a commercial basis to conduct professional

<sup>2</sup> "Robert Ménard and staff leave Doha Centre for Media Freedom." Reporters without Borders website, June 23, 2009. Available at [http://en.rsf.org/Qatar-robot-menard-and-staff-leave-doha-23-06-2009\\_33548.html](http://en.rsf.org/Qatar-robot-menard-and-staff-leave-doha-23-06-2009_33548.html)

<sup>3</sup> Ibid, Reporters without Borders.

training for journalists on a variety of media platforms, and it offers trainings to all media professionals. Since 2004, the Al Jazeera Center has provided more than 750 training courses for more than 7,500 trainees from Arab countries, Europe, the United States, and Asia. The most popular training categories include television news production, newsroom management, investigative journalism, interactive Internet platforms, and new media. A drawback is that registration fees for all of the courses are relatively high, around QAR 14,000 (about \$3850). As most journalists based in Qatar are expatriates, their newspapers generally do not show much enthusiasm for helping their staff obtain training, according to one panelist.

Training applicants are expected to have a university degree, preferably in media, or a minimum of two years experience in journalism. "In practical terms, this means that unlike other programs, which aim to improve the skills of people already working in the profession, the Al Jazeera center's courses are available to anyone who cares to fill out a form and pay the required fees," one panelist said.

Although advertisements aired for Al Jazeera's training feature shots of the network's reporters, writers, and anchors in action, the training center is actually located in a different section of Doha, a 20-minute drive from the television channel's headquarters. Still, the training emphasizes practical applications. The facilities include a complete television news set, although it is not a working newsroom.

As for restrictions on publishing, Qatar's open market economy allows newspaper publishers to freely import and purchase newsprint directly and through private companies. Panelists agreed that the government has no influence in the process.

## List of Panel Participants

**Ahmed Abdul Malik**, writer and former editor-in-chief, Doha

**Mohammed Abdul Ati**, journalist and researcher, Al Jazeera, Doha

**Hassan Bebbba**, writer and media expert, Doha

**Fayssal Saouli**, journalist, *Al Arab Daily*, Doha

*A journalist based in Qatar also agreed to participate in the MSI panel on condition of anonymity.*

## Moderator and Author

**Atef al Saadawy**, journalist and human rights consultant, Gulf Forum for Citizenship, Dubai

*The Qatar study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.*



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*The sense of disappointment expressed in the 2008 MSI study sank in deeper, as hopes continued to fade that King Abdallah bin Abdel-Aziz would improve the level of personal and media freedom.*



## SAUDI ARABIA

The media scene for the Kingdom of Saudi Arabia did not change dramatically in 2009. The expected launch of two television networks had promised to be a major media development. One of the two, the much-anticipated Prince Alwaleed bin Talal pan-Arab news network, drew talk that a new Saudi media star (experienced, well-known journalist Gamal Khashghi) might reshape the local media and journalism community as director of the network. Alef, the other television network announced in 2009, is funded by Prince Khaled Alfesal and considered a more culturally and socially driven network. However, as of the time of the MSI study, the new networks had not materialized.

The sense of disappointment expressed in the 2008 MSI study sank in deeper, as hopes continued to fade that King Abdallah bin Abdel-Aziz would improve the level of personal and media freedom. Saudi media lived what can be called a “short spring” in 2008, with journalists and writers crossing “red lines” by discussing topics considered unspeakable—such as religious reform and the constitutional monarchy. But toward the end of the year, the authorities began to move to shut down such efforts to expand press freedom. At that time, the Saudi authorities took into custody a blogger, Mohamed Alotabi, and a writer, Khaled Alomair, without a trial. The authorities continued this approach in 2009 with more arrests. In its 2009 human rights report, the U.S. Department of State wrote, “Hadi al Mutif, a Shia imprisoned since 1994 for apostasy, received a further five-year sentence for statements on a smuggled video tape criticizing the judicial system and the government’s human rights record. He reportedly remained incarcerated in solitary confinement at year’s end.”<sup>1</sup>

While this report was being finalized, unprecedented changes began sweeping the Arab world. For the first time in their history, the Arab people brought fundamental, revolutionary changes in Tunisia and Egypt, and the wave of revolution is sweeping three of Saudi Arabia’s neighbors: Yemen, Bahrain, and Syria. The Saudi government is on alert and watching for any sign of domestic movement, putting media workers—as well as democracy and human rights activists—on edge. Given these circumstances, and in order to protect their personal security, all panelists in this year’s study participated only on condition of anonymity.

*Panelists in Saudi Arabia agreed to participate only if their names were not disclosed publicly. They cited increased sensitivity of the government to criticism and the possibility of arrest and/or other legal proceedings against those who are outspoken.*

<sup>1</sup> “2010 Human Rights Report: Saudi Arabia.” U.S. Department of State, Bureau of Democracy, Human Rights, and Labor: April 8, 2011. Available at: <http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154472.htm>

# SAUDI ARABIA AT A GLANCE

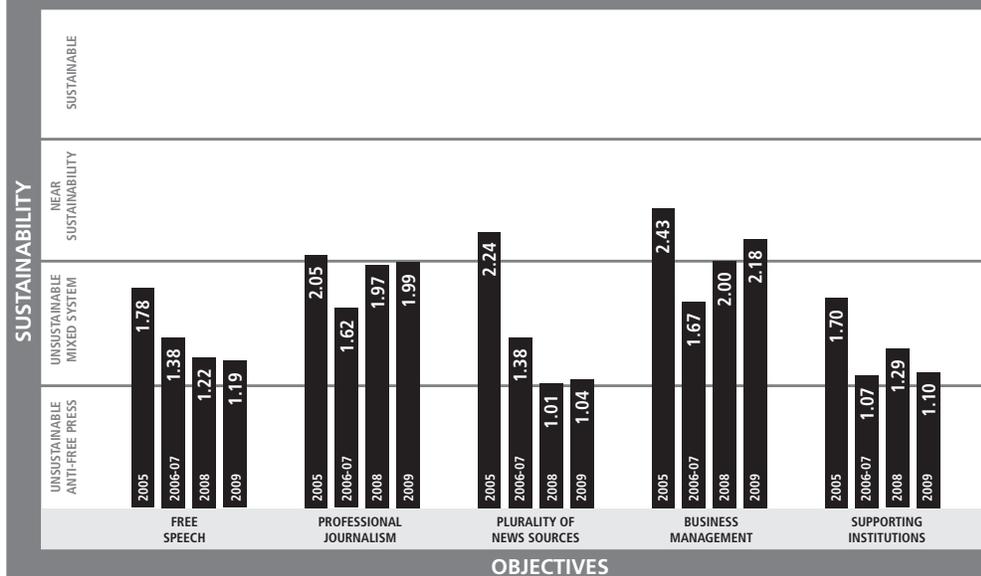
## GENERAL

- > **Population:** 26,131,703 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Riyadh
- > **Ethnic groups (% of population):** Arab 90%, Afro-Asian 10% (*CIA World Factbook*)
- > **Religions (% of population):** 100% Muslim (*CIA World Factbook*)
- > **Languages:** Arabic (*CIA World Factbook*)
- > **GNI (2009-Atlas):** \$436.8 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$24,020 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 78.8% (male 84.7%, female 70.8%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** King and Prime Minister Abdhallah bin Abd al Aziz al Saud (since August 1, 2005)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:**  
Print: 8 Arabic daily newspapers (7 private, 1 state-owned), 2 English daily newspapers (private); Radio stations: 43 AM, 31 FM, 2 shortwave; Television stations: 117 (all television is state-owned)
- > **Newspaper circulation statistics:** Combined circulation of daily newspapers thought to be 763,000; *Al Riyadh* tops at 170,000 (2003) (*Culture and Customs of Saudi Arabia* by David E. Long, 2005)
- > **Broadcast ratings:** Official ratings not available; top 3 most viewed stations are thought to be MBC, Al Jazeera, and Al Arabiya satellite channels (all quasi-independent)
- > **News agencies:** Saudi Press Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 9.7 million (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: SAUDI ARABIA



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Saudi Arabia Objective Score: 1.19

Under Saudi basic law, the term “freedom of expression” is unclear and open to interpretation, especially as this term is linked to observing Islamic principles. Article 39 of the law states that “media, publishing, and all means of expression shall commit to good words and state regulations...they shall contribute to educating the nation, supporting its unity, and prohibiting anything that would lead to discord, sedition, division, or prejudice the security of the state and its public relations, cause harm to human dignity and rights. Regulations demonstrate how this can be accomplished.”

The panelists said that they consider article 39 the major obstacle to free speech and media freedom. One panelist pointed to the fogginess of the phrase “good words” in particular. However, the panelists noted that even if they are able to find common ground in the wording, the authorities (the Ministry of Information, royal family members, officials, and religious police) “can always apply their own interpretations to punish their challengers.” Saudi laws and the personal approaches that many princes and officials take, combined with the uncertain future of the next king, casts a gloomy, uncertain light over the future of press freedom and freedom of expression in the country, said one of the panelists.

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

The panelists agreed that media institutions suffer from a number of onerous restrictions, particularly in covering the royal family members, religious leaders, and diplomatic relations with foreign countries. With the exception of the official Saudi News Agency, no media outlets are allowed to address many high-level official issues. In 2007-2008, a small window opened to criticize the religious police (The Promotion of Virtue and Prevention of Vice Authority), but this freedom narrowed in 2009.

Another obstacle is that the publications code calls for consultation with the Ministry of Culture on issues related to personal opinions that writers and journalists might express. Moklef Alshomry, a human rights activist that writes for a local website, was tried and sent to jail because he criticized the judicial system while appearing on *Eye on Democracy*, the famous Arabic-language program on American television station Alhurra. At the time of this study, Alshomry remained in prison.

In several other cases over the past three years, writers have been jailed for expressing their opinions—most notably Hamza al Mazini, Qinan al Ghamedy, and Saad al Dossary. One panelist emphasized, “Saudi journalists and writers have absolutely no guarantee for freedom of expression and no protection; the law is loosely interpreted to serve the authority’s will.”

On the issue of media licensing, panelists noted no changes from last year. Then, the 2008 MSI highlighted problems that the panelists saw with the licensing process, which several deemed unfair and politicized. They cited one example of a publication that in their opinion had been denied a license because it is run by Shiite Muslims. Newspapers as well as broadcast outlets must be licensed, and all broadcast outlets are government-owned. Another 2008 panelist noted that in one area of the country, only one license was granted in a 30-year span—and to a Saudi prince. Given the difficulties described in launching a publication, many publications moved their operations abroad, noted the 2008 panelists.

As stated in the U.S. state department’s 2009 human rights report, the Saudi government owns most media, and furthermore, “members of the royal family owned or influenced those that were privately owned and nominally independent, including various media outlets and widely circulated pan-Arab newspapers, such as *Asharq al Awsat* and *Al Hayat*.”<sup>2</sup> The government-owned media enjoy many privileges, including a monopoly on nearly all official and unofficial coverage, as a 2008 MSI panelist noted.

<sup>2</sup> Ibid, U.S. Department of State, Bureau of Democracy, Human Rights, and Labor.

Regarding access to information, this year's panelists again described their difficulties getting the information they need to meet goals of journalistic objectivity. The country has no laws guaranteeing access to public information, and government bodies regularly refuse to confirm sources. Yet media firms are required to obtain official, referenced information before they publish news related to governmental, particularly security-related, news.

As nearly every Saudi media outlet is wired to access the Internet, all media workers can access information that government bodies post on their websites. However, most of this information is either out of date or has to be referenced. Furthermore, most government websites restrict the use of information, news, and data posted without written consent.

The authorities monitor the Internet closely, blocking or even tampering with sites that have content to which the state or religious police object. (As noted in last year's study, frequently this content is related to the views of minorities and liberals in Saudi Arabia.) Two websites that the government has targeted especially zealously are *Rassed* and *Minbar al Hilwar*.

Foreign journalists face restrictions; one of last year's MSI panelists noted that authorities sometimes ban Western media workers. Furthermore, the U.S. Department of State noted in its 2009 human rights report on Saudi Arabia, "Foreign media are subject to licensing requirements from the MOI and cannot operate freely."<sup>3</sup>

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Saudi Arabia Objective Score: 1.99

Professionalism and journalistic criteria vary across Saudi media intuitions. The panelists pointed to some institutions that apply journalistic criteria—*Alshaarq Alawsat*, a London-based daily newspaper with major operations and offices in the country; *Al Hayat*, a Saudi owned, London-based daily with a major presence in the country; *Al Watan*, a popular local newspaper; and *Aleqtisadiyah*, a television channel focused on economics. Yet in general, local media outlets do not pay enough attention to professional criteria and journalistic standards, most participants agreed. Many Saudi media professionals either have not trained as journalists or they practice journalism as a second job.

<sup>3</sup> Ibid, U.S. Department of State, Bureau of Democracy, Human Rights, and Labor.

The panelists confirmed that almost no Saudi media outlets have ever offered professional training to their personnel—and few journalists make an effort to improve their professionalism. The official Saudi television channel is a remarkable example of the lack of professional training. Anchors and reporters make frequent on-air mistakes. Most shows are near-replicas of each other and focus on five main topics: culture, sports, the economy, and regional and external affairs. Some popular channels produce high-quality shows, such as *Figure and Dialogue* and *It's Time*, but these two programs are produced and presented by a well-known Saudi intellectual, Mohamed Redha Nasrallah, who is not a full-time employee with Saudi TV.

Recently, *Al Youm* began offering its employees training courses to improve its professionalism and draw more readers, through the understanding that training is an investment in a competitive local market. Most of the panelists expressed the belief that it is highly important for all media professionals to be trained on both journalistic and ethical levels. They pointed out that ignoring the need for training might lead audiences away from traditional media in favor of new media and international media.

The panelists mentioned that another obstacle to improving professionalism is the politically driven interference of editors-in-chief with journalists, producers, and presenters. In many cases, special relationships between an editor-in-chief and officials lead to last-minute decisions to ban reports and articles from publication. In addition to the off-limits approach on many political and religious topics, newspapers must avoid any negative coverage of major businesses, including the oil company Aramco or the Saudi Basic Industries Corporation.

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Another panelist said that his editor-in-chief has refused to approve much of his work, and the reason has nothing to do with editorial judgment. One of his articles was censored because a shareholder of his newspaper has business ties to a party mentioned in his piece, he said. In addition to censorship, editorial committees—in most cases led by editors-in-chief—have forced journalists to cover and write about stories and events to satisfy princes, officials, and the business community. In such cases, public interest is absent, or at least not a consideration in the daily works of most media firms.

Furthermore, the panelists agreed that the government exercised a more restrictive approach in 2009 than in the year before, and that journalists are practicing self-censorship widely—especially after the departure of Gamal Khashghi of *Alwatan*, a journalist considered well connected to the government. Khashghi was forced to leave his post as editor-in-chief after he allowed publication of an article that criticized a religious institution.

The 2008 panelists described the lack of incentive in terms of compensation for Saudi journalists, noting that generally, experienced professionals opt to work in government agencies for more reasonable pay and job security. Pay varies among different media outlets, however.

Given the amount of topics that are off limits, entertainment programs tend to monopolize programming time, particularly on television—although a 2008 panelist said that the government broadcaster includes a news channel that dedicates time to serious programs.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Saudi Arabia Objective Score: 1.04

The kingdom of Saudi Arabia is one of the largest countries in the Middle East (2,149,690 sq km). Administratively, the country is divided into thirteen provinces, and each of these provinces has its own local media. The country has eight Arabic and two English dailies as well. However, the plurality of news sources, especially local news, remains limited. The official Saudi News Agency is the main source of news, and the government expects media outlets to only publish or broadcast news about the king, the royal family, and high-profile government members wired from the Saudi News Agency. Participants said that they consider the monopoly of news sources to be one of the most serious obstacles to healthy competition, development of distinguished and professional journalists, and improving local media.

Almost all ministries and government branches have media units that provide outlets with their news and activities. The panelists agreed that most of these ministries and branches insist that outlets publish news as written and edited by the state media units. With the exception of a few newspapers (*Alwatan*, for example, and *Okaz* and *Alyoum* on some occasions), most newspapers accept and follow such direction from official media units. On the other hand, the Saudi-owned, London-based newspapers *Asharq al Awsat* and *Al Hayat* do not follow this policy, with the exception of news about the king.

However, between satellite television channels and the Internet, the government cannot completely control the flow of news and information. In Saudi Arabia, it is very rare to find a house without satellite dishes. Often Saudi citizens hear news about their own country from media outlets abroad. The Internet revolution has also forced local media to adapt, as social media tools in particular have grown in significance as a news source for the vast majority of the citizens—especially young people. The number of Internet users in the country reached 10 million by the end of 2009.

All participants agreed that the Internet has become a news medium for local events and news. The country has no laws to restrict the spread of personal or news web pages that deal with social and political issues, particularly not for those using Facebook as their platform. One of the greatest examples is SABQ online.

For a good number of Saudi writers and journalists, the Internet—and the blogosphere in particular—has become an alternative way to escape censorship in the traditional media.

### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

#### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

The government's only ways to control the Internet are to attempt to block objectionable sites, reduce the capacity of the servers, increase the cost of use, and limit the providers. The panelists noted that since the Internet has become a vital factor in business, education, and government works, controlling this medium seems difficult, if not impossible. However, they questioned the reliability and credibility of news posted online.

One of the panelists noticed that the Internet has broken the silence on issues long considered taboo, such as minorities, women's rights, and religious tolerance. Two of the most liberal Saudi websites, The Saudi Liberal Network and Forum of Dialogue and Creativity, have raised the question of women's rights in a country that views such issues as highly controversial, in religious and cultural terms. A few newspapers, including *Alwatan*, *Alyoum*, and *Alryadh*, have begun to mention these topics slightly.

Government-owned media and business-owned media are believed to practice the same exclusionist policy against different intellectual doctrines. They fail to address Saudi Arabia's social, intellectual, and religious diversity. For example, Saudi media—without exception—ignore news related to Saudi Shiites. Most Saudi Shiites are residents of the provinces of Al Qutaif and Al Ihsaa, in the eastern part of the country. The government-run Saudi TV channel does not even mention that around five million Shiite Saudi citizens celebrate *Moharram*, a sacred Islamic calendar month, never going further and covering the story.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Saudi Arabia Objective Score: 2.18

The Kingdom of Saudi Arabia is one of the quickest-growing, most competitive advertisement markets in the Middle East, and as a result, the Saudi media market is seen as one of the wealthiest in the region. Saudi Arabia is one of the most important consumer markets in the Arab world, and the media industry is one of the country's most profitable.

Although subscription income from individuals, companies, and government institutions is not insignificant, advertisements are the major source of revenue (estimated in the 2008 MSI at \$2 billion annually), making it the largest advertising market in the region. International as well as local advertising agencies operate in the country.

The panelists said that advertising revenue for media outlets, including many newspapers, magazines, and satellite channels, seems strong enough to keep businesses going without direct assistance from the government. In the past,

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

the government provided financial support to newspapers, but it has suspended this practice over the past five years. It continues to support print outlets indirectly through advertising and subscriptions.

Participants said that most Saudi media outlets have added advanced printing and production technology to reduce the cost of manpower. Additionally, advanced technology has quietly improved the appeal of most of these media outlets, leading to more individual, company, and government subscriptions. *Ar-Riyadh* and *Okaz* newspapers print up to 180,000 copies daily, with about half of all the copies going to government and ministry subscriptions.

Almost all Saudi media outlets have well-established marketing departments. The panelists agreed that the media advertising market in Saudi Arabia is strong, healthy, and wealthy. Yet as last year's MSI noted, no advertising institution can provide realistic reports or surveys on the media situation or circulation. Instead, institutions monitoring circulation use numbers that publications provide. Although there are still no independent television ratings or newspaper circulation figures that give accurate and reliable information, some advertisers conduct their own market research on satellite program viewers in particular.

#### OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Saudi Arabia Objective Score: 1.10

Saudi Arabia has no truly independent trade associations or professional associations to support the media or journalists. Media members have made a number of rejected attempts

## SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

to establish a Saudi writers association and a journalist syndicate to protect and defend journalists' rights against violations by employers or other entities. The government licensed a type of trade association, the Saudi Media and Communications Association, but limited its membership to media academics. The honorary president of the Saudi Media and Communications Association is Prince Naif Bin Abdulaziz, the interior minister.

The Saudi Journalists Society, established in 2004, is seen as less active and less effective in defending media freedom and protecting journalists than similar organizations in neighboring countries such as Yemen, Bahrain, and Kuwait. As last year's MSI panelists explained, the elected members of the society are all editors-in-chief, with no lower-level personnel. Hopes that the Saudi Journalists Society would prove a stronger advocate for journalists have been dashed, as media professionals close to the government have monopolized it, and the society has asked for—and received—financial support from the king and some Saudi princes. The society has not shown any professional support to journalists, nor has it stood alongside journalists fighting for press freedom. For example, a group of journalists, including Hassan al Mustafa and Rawda al Jizani, were expelled from their media institutions in 2007, and the society has done nothing to protect or defend them.

Still, the panelists said that Saudi journalists have independent organizations to defend their rights, as well as the rights of writers and freedom advocates. In the cases of jailed blogger Mohamed Alotaby and human rights advocate Mokhllef Alshomeri, Saudis relayed information to regional and international organizations (the Arab Network for Human Rights Information, based in Cairo; and Frontline, based in Dublin) to defend the two men's rights and let their voices be heard.

Saudi men attend journalism and mass communications colleges, but women may not, making it difficult for women to develop media careers. As noted in previous MSI studies, though, an effort is underway to create a mass communications post-graduate program that aims to graduate female teachers, who then can teach such classes.

Media outlets offer few in-house training opportunities, and tend to avoid the cost of sending their professionals out for further training. The training programs that exist are short-term, and are mainly ad hoc rather than reflecting a comprehensive strategy. One newspaper, *Al Youm*, has made steps to offer training, but the classes are focused on social relations and not geared specifically toward journalists.

As noted in last year's report, sources of newsprint and printing facilities are private, apolitical, and unrestricted as long as the publishing company has the proper licensing and paperwork. However, printing facilities must follow rules set forth in the country's print and publishing regulations.

Although channels of media distribution are private and apolitical as well, the authorities monitor the Internet and impose restrictions. In terms of print media, two print media distribution companies must cover the entire country. As a result, most publications are unavailable in the small cities and villages.

### List of Panel Participants

*Panelists in Saudi Arabia agreed to participate only if their names were not disclosed publicly. They cited the increased sensitivity of the government to criticism and the possibility of arrest and/or other legal proceedings against those who are outspoken.*

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*The MSI panelists said that the pending law promises significant improvement over the existing law in some areas, but there are many other areas of concern, including content-based restrictions on speech and onerous governmental controls on licensing, registration, operation, and management of the media.*



## UNITED ARAB EMIRATES

# M

Many consider the United Arab Emirates (UAE) the center of media activity for the Persian Gulf states, servicing the powerful media demand throughout the region. The UAE has about a dozen daily newspapers, including several in English, each with circulations in the tens of thousands, and nearly twice that number of radio and television stations. UAE has more Internet users per capita than any other country in the Gulf region, and these users tap into a plethora of electronic media. However, media outlets have been privatized only recently, and they maintain close ties to the authorities.

In 2000, the government created the Dubai Media City (DMC) free zone on the outskirts of the city. Organizations working within this zone include domestic and international press organizations that generally are not subject to UAE media laws. Numerous news and media outlets—including Reuters, Microsoft, and Middle East Business News—have moved their Gulf operations to DMC. Nevertheless, publication of UAE newspapers, electronic media, and other works often occur outside the zone, and are thus subject to a 1980 law that restricts media freedom tightly.

On numerous occasions, the government has used UAE's existing media law to penalize, fine, and close media establishments that have expressed criticism of the government. On January 20, UAE's legislature, the Federal National Council, passed the draft media law drawn up by the National Media Council (NMC). As of the end of 2009, the law still awaited the signature of President Shaikh Khalifa Bin Zayed Al Nahyan. The MSI panelists said that the pending law promises significant improvement over the existing law in some areas, but there are many other areas of concern, including content-based restrictions on speech and onerous governmental controls on licensing, registration, operation, and management of the media. The law threatens to apply more regulation to the DMC free zone as well.

In addition, the panelists criticized the state's extreme forms of governmental censorship and self-censorship, whenever journalists cover topics such as politics, culture, religion, friendly foreign governments, or any issue that the government deems politically or culturally sensitive. Another problem is the government's strict filtering system that targets websites with content on dissenting political opinions, criticisms of society, religious freedom, or human rights.

# UAE AT A GLANCE

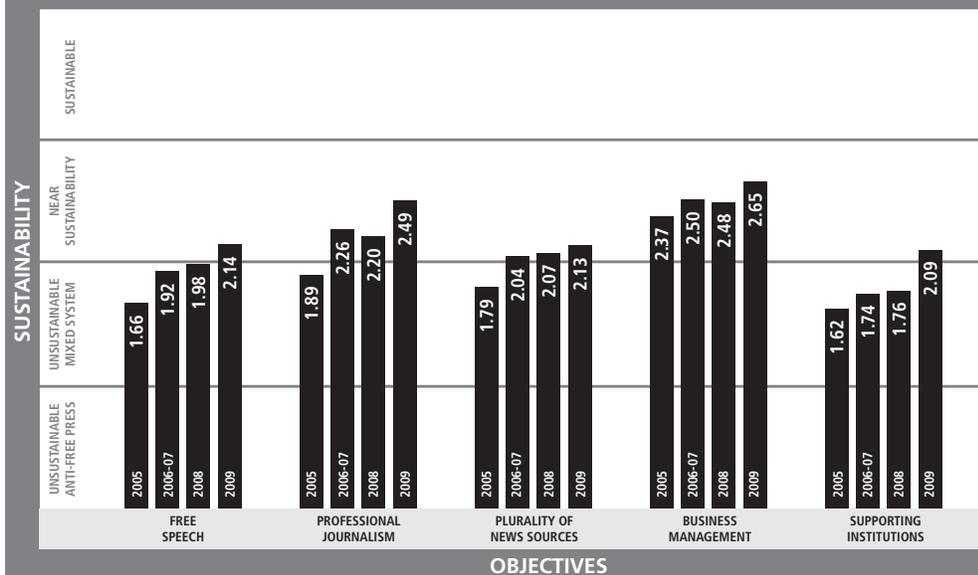
## GENERAL

- > **Population:** 8,190,000 (2009 est., [www.uaestatistics.gov.ae](http://www.uaestatistics.gov.ae))
- > **Capital city:** Abu Dhabi
- > **Ethnic groups (% of population):** Emirati 19%, other Arab and Iranian 23%, South Asian 50%, other expatriates (includes Westerners and East Asians) 8% (*CIA World Factbook*)
- > **Religions (% of population):** 96% (Shia 16%), other (includes Christian, Hindu) 4% (*CIA World Factbook*)
- > **Languages:** Arabic (official), Persian, English, Hindi, Urdu (*CIA World Factbook*)
- > **GNI (2008-Atlas):** \$163.3 billion (UNDP Human Development Report, 2009)
- > **GDP per capita (2008-PPP):** \$54,626 (UNDP Human Development Report, 2009)
- > **Literacy rate:** 77.9% (male 76.1%, female 81.7%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Khalifa bin Zayid Al Nahyayan (since November 3, 2004)

## MEDIA SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: 13 daily newspapers, dozens of magazines and periodicals (Arab Media Society, January 2009); Radio: 21 main stations; Television stations: 40+, most based in Dubai Media City; 16 main stations
- > **Newspaper circulation statistics:** Top 3 by circulation: *Al Khaleej* (privately owned)—read by 78.8%, *Al Ittihad* (government owned)—read by 59.3%, and *Al Bayan* (Dubai, government owned)—read by 52.8% (Ipsos Media CT, January 2009)
- > **Broadcast ratings:** N/A
- > **News agencies:** Emirates News Agency (state-owned)
- > **Annual advertising revenue in media sector:** Spending in advertisement topped \$1.74 billion in 2009, with the largest portion of revenue going to the Arabic and English newspapers (64%), followed by television (16%) magazines (13%), outdoor ads (5%), radio commercials (2%), and cinema adverts (1%) (*2007 Advertising Spend Report*, Pan Arab Research Centre)
- > **Internet usage:** 3.449 million (2009 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: UNITED ARAB EMIRATES



**Unsustainable, Anti-Free Press (0-1):** Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

**Unsustainable Mixed System (1-2):** Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

**Near Sustainability (2-3):** Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

**Sustainable (3-4):** Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### United Arab Emirates Objective Score: 2.14

The UAE constitution provides for freedom of speech and of the press, at least in principle. Article 30 upholds “freedom of opinion and expressing it verbally, in writing, or by other means of expression shall be guaranteed within the limits of law.” And Article 31 states, “Freedom of communication by post, telegraph or other means of communication and the secrecy thereof shall be guaranteed in accordance with law.” But in practice, the government uses its judicial and executive branches to restrict those rights. The media law stipulates punishments including firing, prosecution, high fines, and suspension of advertisements for violations of the law.

UAE Federal Law No. 15 of 1980 for Printed Matter and Publications extends to all aspects of the media, including book publishing. All panelists, except Fadheela Al Maainy, managing editor of *Albayan*, agreed that this law is considered one of the Arab world’s toughest. It prohibits “defamatory material and negative material about presidents, friendly countries, and religious issues, as well as pornography.” The law also subjects all publications to state licensing and authorizes the state to censor both domestic and foreign publications prior to distribution. In addition, the law forbids journalists from leveling any criticism against authorities and allows for journalists to be prosecuted under the penal code. Amal van Hees, director of Bridging the Gulf

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Licensing media outside the free zone is extremely difficult and can be a frustrating bureaucratic ordeal, especially for daily newspapers. The Federal National Council is the only body that can grant licenses to publications, and under the 1980 publications law, issuing a license for newspapers requires the approval of the cabinet.*

Foundation, called for reform of the law. “The Press and Publications Law is outdated, and cannot fulfill the needs of the UAE society, given the development and modernization UAE has gone through. Its replacement is necessary,” she said.

Al Maainy, however, expressed the belief that the constitution and supportive laws in UAE guarantee the freedom of speech, noting as one example, “Prime Minister Sheikh Muhammad stated that journalists in UAE should not face prison for reasons related to their work.”

It looks likely that the laws will indeed be updated with the draft media law, which contains some improvements over the 1980 media law. However, the pending legislation would continue to punish journalists under civil law for infractions such as “disparaging” the royal family or publishing “misleading” news that “harms the country’s economy.” The law would also impose administrative penalties that could bankrupt media outlets and silence dissenting voices with fines as high as AED 5,000,000 (US \$1,350,000) for insulting the ruling family or disparaging senior government officials, according to Ahmed Mansoor, a media advocate and writer.

While article 2 of the pending law guarantees the right to freedom of expression through the spoken or written word, and Article 3 states that licensed media shall not be subjected to “pre-publication monitoring” (censorship), Adel Dandarawy expressed concern about many other articles. “Article 21 compels printing houses to submit copies of all printed matter to the NMC. Article 24 states that the NMC shall at a later time institute a monitoring mechanism for audiovisual media as well. Thus, articles 21 and 24 threaten to intensify self-censorship among journalists,” he said.

The panelists also expressed concern that the bill’s current wording clouds intentions; for example, article 21 does not specify whether print copies must be delivered before or after publication.

*UAE has no law upholding the media's rights or citizens' rights to access information. To what extent the new law could change this is unknown, but the draft addresses the issue to a certain extent, by requesting that government entities ease the flow of information to the media.*

The media community has voiced its collective concerns and objections regarding the draft law. Mansoor noted that in early February, more than a hundred local journalists and press freedom advocates petitioned the president to suspend passage of the law until their concerns were addressed.

But van Hees offered a more positive point of view about the new law, as well: "The long-awaited UAE draft media law may offer a new opportunity to energize the freedom of speech in the UAE as a society, but also to motivate key UAE analysts, academics, and intellectuals to participate actively, constructively in major changes affecting UAE society," she said.

It is important to note that the authorities in the UAE, as in much of the Arab world, differentiate between the domestic media and the international media. The government allows the international media far more flexibility than local outlets. In fact, UAE laws dictate punishment for those who criticize the government or royal family, but foreign media based in Dubai are exempt from the law. Some media seem to enjoy greater freedom than others in what they write, as is the case with *Seven Days*, set up by expatriates and one of the most successful newspapers published in English. *Seven Days* is often quite critical of the government, but seems to get away with it despite being read very widely in the UAE. However, that does not mean that the paper is completely free to write or say whatever it pleases.

Media licensing in UAE operates on two parallel systems: one in the DMC free zone and another for the rest of the country. Licensing media outside the free zone is extremely difficult and can be a frustrating bureaucratic ordeal, especially for daily newspapers. The Federal National Council is the only body that can grant licenses to publications, and under the 1980 publications law, issuing a license for newspapers requires the approval of the cabinet. Typically, licenses are granted only to powerful elites in the government or those connected to it. *The National*, an English-language daily, is the latest daily newspaper, launched in April 2008. Abu Dhabi

Media Co. owns the paper and belongs to the government of Abu Dhabi emirate.

Free-zone media have more of a global or regional reach, while media outside the DMC cater to nationals and expatriates within the country. This results in highly disparate barriers to entry into the sector. Obtaining a license for a media business in the free zone is relatively easy, but many panelists argued that the bill to amend the press law will put restrictions in place for those businesses as well. Article 27 is the first statute that mandates that cities located in UAE's free zones obey the press laws and the rules established by the NMC, which has the power to suspend the activity of certain media outlets for an indefinite period (article 36). "These zones were not concerned before the bill was redrafted," said Adel Dandarawy, a journalist in the UAE Ministry of Presidential Affairs.

Dandarawy added that article 6 of the draft law states that applications not approved within 180 days are rejected automatically, which allows for stonewalling. In addition, Dandarawy said that it is imperative that denied applicants be given specific reasons for rejected applications. Furthermore, Dandarawy noted, "Article 35 grants courts the authority to cancel licenses or suspend media operations for a minimum of 180 days if the media outlet violates the law. The length of the suspension is doubled for repeat offenders."

As noted in last year's report, entry into the media market is comparable to other industries, once the licensing hurdle is cleared. UAE is a tax-free country for all industries. The conditions are suitable for media businesses with sufficient capital to grow and prosper, particularly as human resources are available widely. But Dandarawy noted that the new media law could affect the launch of new media outlets. He said that Article 9 requires media companies to deposit an unspecified amount of money with NMC as collateral to satisfy any future fines that it may impose for press violations. Depending on the sum required, this provision might place an excessive financial burden on emerging media companies, making an unknown number of media ventures unviable before they ever launch.

Panelists agreed that UAE is a safe place for media to operate, given the country's record with crimes against journalists and media outlets. According to Al Maainy, "No crimes against journalists or reporters have been reported in UAE." Still, Dandarawy said that journalists suffer from several forms of intimidation. "While native journalists usually face warnings and threats whenever the government feels they have crossed a line, non-citizen journalists—who account for more than 90 percent of all journalists in UAE—face harsher measures, including termination and deportation," he said.

Al Maainy also said government-owned media receive no preferential legal treatment. However, as MSI panelists pointed out last year, private media do not exist in the true sense in UAE—even privately owned outlets receive support from the government. In fact, privately owned media are even more vulnerable to state pressure, as a heavy portion of their advertising comes from the government.

Dandarawy noted that defamation in UAE is subject to penal law, adding that any journalist might face imprisonment and fines under any number of offenses (criticism of the government and ruling families, statements that endanger public order, etc.) listed in the penal code. On numerous occasions, the government has used the laws to penalize, fine, and close media establishments. In one example, in July 2009, the Abu Dhabi Federal Court of Appeal suspended the print and online versions of the Arabic-language daily *Al Emarat Al Youm* for 20 days and fined its editor AED 20,000 (\$5,445) for an October 2006 article that claimed that some of the ruling family's thoroughbred race horses were given steroids.

In addition, in January 2006, the government passed the information and privacy “cyber crime” law. The law details fines and prison terms for common cyber crimes (hacking, financial fraud, etc.) but also contains penalties for Internet users who oppose Islam, insult any religion or its rituals, or broadcast immoral material or private items in breach of public decency.

In September, Inas al Bourini, the owner of the website Hetta.com, and Ahmed Mohammed bin Gharib, his editor, were fined AED 20,000 for “defaming, insulting, and humiliating” the state-run Abu Dhabi Media Company. The complaint followed the posting of an article on May 4, 2009, headlined “Abu Dhabi TV: a UAE television by name only.” The article claimed “administrative corruption” and “embezzlement” within the company. It also criticized some of the station's programs, which are mainly of an entertainment nature, and said that foreign interests dictate its official positions. Many commentators referred to the article after it was published, adding information that tended to confirm the allegations. Despite that, the lower court convicted the two journalists under articles 1.3/b and 372 of the penal code, articles 79 and 86 of publications law, and article 16 of the cyber-crime law.

Questions remain in terms of how the draft media law might affect libel laws. Dandarawy noted that article 11 asserts that the “editor in-chief is liable alongside the creator and writer of matter that is published”; however, the law neglects to specify whether this legal responsibility is civil or criminal.

As noted in last year's study, journalists face obstacles accessing public information. For example, under no

circumstances are journalists granted access to information related to the country's spending. UAE has no law upholding the media's rights or citizens' rights to access information. To what extent the new law could change this is unknown, but the draft addresses the issue to a certain extent, by requesting that government entities ease the flow of information to the media. For now, journalists must rely on their personal connections to obtain the information they need.

Although generally journalists are able to access international information sources, many websites are blocked in the UAE—especially those referring to human rights, prison conditions, the royal family, and free speech. The government filters extensively content deemed “culturally inappropriate or offensive to the state's perception of Islam.” Mansoor listed many websites that the authorities block, such as the UAE Dialogue Forum [www.uaehewar.net](http://www.uaehewar.net), [www.localnewsuae.com](http://www.localnewsuae.com), [www.ahewar.org](http://www.ahewar.org), and many other political and religious websites.

Regarding entry into the profession, generally entry is not restricted for UAE nationals. Foreign correspondents, however, must obtain licenses and renew them annually. Mansoor mentioned how security constraints affect entry into the profession: “Like any job in the UAE, those who want to apply for positions or jobs in the media must be subject to security checks, and no one can get a job without security approval.” The pending media law would grant the government more control in deciding who is allowed to work as a journalist and which media organizations are allowed to operate in the country.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### United Arab Emirates Objective Score: 2.49

Although critical reporting on sensitive political, social, or religious issues is found only rarely, UAE journalists exhibit a good level of professionalism and objectivity in their reporting, considering their restrictions. Most reporters in the UAE are expatriates, and the panelists suggested that this boosts the average level of proficiency and gives a more professional touch to news reporting. They noted especially the English-language newspapers such as *Gulf News* and the *National*, which exhibit a higher level of professionalism than Arabic-language newspapers. On the other hand, Mansoor commented on one drawback: Foreign journalists feel more vulnerable, and are reluctant to cover sensitive topics in particular, for fear of losing their jobs and possibly being deported. Dandarawy also pointed out some weaknesses: “Journalists commonly practice self censorship,

*Mansoor added that the UAE press does not address sensitive issues related to internal affairs, such as the struggle for power in the emirate of Ras al Khaimah.*

and the leading media outlets frequently publish government statements without criticism or comment.”

Journalists tend to cover basic government news, along with local sports and international news. In terms of content, most newspapers look very similar.

Last year’s MSI panelists pointed out UAE Internet journalists’ attempts to expand critical writing—yet some Internet reporting still lacks objectivity, credibility, and a professional approach. The panelists noted that the authorities are more likely to block Internet sites that publish more credible, critical reports, such as the blog Mujarad-Ensan.

To guide the media’s approach to ethical practices, in 2007 the country’s leading editors agreed upon a voluntary code of ethics. The code contains 26 points based on the principles of respect for the truth; freedom and integrity; fairness to all; transparency; rightful acquisition of information; accuracy in reporting; elimination or minimizing harm, especially in relation to children; credibility; respect for personal privacy; confidentiality; refusing to accept bribes; professionalism, especially in relation to plagiarism; and avoiding sensationalism.

The code of ethics acknowledges the importance of a country’s dominant religion, with this clause: “Islam is a

basic and important component of UAE culture, values, and traditions, and the respect of divine religions and traditions and values of nations takes center stage at the mandatory code of ethics of the media and should not be offended or desecrated by any media.”

Many of the panelists said the rules provide enough room for freedom of the press, while placing additional responsibilities on journalists. Others criticized the code for having unrealistic goals. According to Mansoor, “Article 26 of the code declares that accepting cash and valuable in-kind gifts may cause a journalist to be biased in his coverage, and is considered a breach of the code. But historically, a large number of journalists in the UAE have accepted cash and valuable gifts from the government, or government personnel, including parcels of land—a particularly prevalent practice among journalists who are UAE citizens.” One panelist last year said that the code was more of a propaganda tool in reaction to a hasty decree by the prime minister than a true code of ethics that governs the media.

Panelists agreed that self-censorship is rife within the UAE media, and that the media-savvy government encourages its proliferation—causing real damage to the profession’s image. In addition to the legal constraints on the freedom of the press, journalists face many unwritten restrictions, such as “red lines” and self-censorship, according to Elias al Barrag, a columnist at *Al Itihad*. “There are a number of taboo topics that journalists are not supposed to touch, and indeed, most of the media do not,” he said.

Self-censorship is most intense whenever journalists write or broadcast stories on politics, culture, religion, friendly governments, or any topic that the government might deem politically or culturally sensitive. Van Hees commented that subjects considered taboo for UAE society include the private sphere, government policy, religion/morals, national security, and neighboring states, as well as social issues such as domestic violence, illegal drugs, pornography and similar “inappropriate materials,” and prostitution. Mansoor added that the UAE press does not address sensitive issues related to internal affairs, such as the struggle for power in the emirate of Ras al Khaimah.

Journalists’ job insecurity also feeds self-censorship, according to Mansoor. “Critical reporting on sensitive topics could result not only in prosecution, but journalists could be fired, transferred to different branches or units within their organization, exposed to salary and benefit cuts, and more,” he said. Fines imposed under the media law are hefty, and journalists might spend the rest of their career paying them. Expatriate journalists are sponsored by their media establishments, and losing their jobs could mean ending their stay in the country, he added.

#### JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

##### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Some foreign correspondents based in the UAE report receiving the “occasional complaint from government authorities,” or veiled threats. Popular United Kingdom newspaper columnist Roy Greenslade wrote in *The Guardian* in April 2009 that as the world’s economic woes began to show signs of reaching Dubai and Abu Dhabi, the government instructed major news agencies “to avoid writing ‘negative stories’ about the UAE economy.” The threats usually hint that a press card or a residence permit might not be renewed—but nothing along the lines of threats that the media face in some neighboring countries.

The newest addition to the press line-up in the Emirates is Abu Dhabi’s *The National*, a highly respected English-language daily close to the royal family. But even that connection did not prevent it from getting its knuckles rapped recently, after publishing a story critical of the government.

Sensitivity in the UAE seems to center more on the perceived need to project an image of UAE to the world as a society free of corruption, rather than trying to hide political stories, as may often be the case in other countries in the region.

In the enormous Dubai Media City complex, all major media, including CNN and the Saudi-funded Arabic satellite station Al Arabiya, have been promised the “freedom to create,” as stipulated in leasing contracts signed between the various media outlets and the Dubai government. When disputes arise between the government and media outlets, cases are argued in a UK arbitration court, where a special tribunal has been established for this very purpose.

Compared to regional standards, UAE journalists are fairly well compensated, although salaries vary widely between low-level field reporters and photographers to nationals holding senior positions. But usually native journalists are paid more than foreign journalists, even when they have the same qualifications. “Salaries of local journalists are three times greater than their foreign counterparts, leading around 10 percent of foreign journalists to return to their home countries in 2009,” Adel Dandarawy said.

Panelists agreed generally that the print media has a reasonable balance of entertainment and news—however, last year’s MSI panelists noted an excessive number of entertainment satellite television channels broadcasting from Dubai Media City. In terms of equipment, UAE media enjoy advanced technical facilities—especially in Dubai Media City. For example, as noted in previous MSI studies, most print enterprises possess their own modern printing presses, or are able to use those offered by larger companies. Broadcasting stations have access to advanced equipment for the storage, editing, retrieval, and dissemination of information.

### OBJECTIVE 3: PLURALITY OF NEWS

#### United Arab Emirates Objective Score: 2.13

UAE is the media hub of the Gulf, and the press is as vibrant as the country’s economy. The country has 13 national dailies, with seven in English and six in Arabic and circulations in the tens of thousands. Sixteen major television stations and 21 major radio stations (AM 13, FM 8) are on the air. Most broadcast media programming is in Arabic and English, with some programs in other languages.

Except for the many organizations now operating in Dubai’s Media Free Zone, most television and radio stations remain government-owned—but widespread use of satellite dishes provides access to pan-Arab and other international broadcasts. Some media companies have radio and television channels that are neither purely state-owned nor truly independent. Although independent media exist in Dubai Media City, they are restricted by the 1980 press law and rarely cover local news or report critically on the government or UAE society.

The Emirates like to be seen as particularly welcoming to foreign media, as represented by the Dubai Media City. Foreign journalists can work there with far less interference than in most other Persian Gulf countries. There are three free zones for media (one each in Dubai, Abu Dhabi, and al Fujaira) and they host more than 1,200 companies—including 60 television companies operating 150 television stations, and more than 120 publishing houses that together produce around 400 titles. However, most of those media do not cover

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

*Cyberpolice have been monitoring the web since December 2008 to keep a close watch on netizens. They processed more than 200 cases in 2009, most of them linked to cybercrimes and hacking, according to the authorities.*

local events adequately, particularly those outlets based in Dubai Media City. For example, the Al Arabiya satellite news channel, which is owned by a Saudi firm, broadcasts from Dubai but does not cover any local issues and events critically.

Citizen access to media varies geographically. Some panelists pointed out that the vast majority of UAE newspapers and television stations are located in Abu Dhabi and Dubai. “Three key newspapers—*Al Bayan*, *Emarat Al Youm*, and *Emirates Business 24/7*—are owned by Dubai Media Incorporated, while *Al Ittihad* and *The National* are owned by Abu Dhabi Media Company. The remaining papers are privately owned. The situation is similar for radio and television,” said van Hees, who also expressed disappointment that other emirates are not represented.

According to all panelists, residents are able to access international information freely by watching satellite television and browsing the Internet. However, the government still bans some publications from entering the country if their content is found to violate the country’s laws. For example, in April 2009, the government banned distribution of two French magazines, *Jeune Afrique* and *Afrique Magazine*, at the behest of the information ministry in Abu Dhabi. *Jeune Afrique*’s April 2009 issue was censored because of a cover story headlined “Muslims and sex” with a cover photo showing a woman’s bare back. The authorities subsequently banned the April issue of the monthly *Afrique Magazine*, which had a report by Akram Belkaïd headlined “Dubai, End of the Dream” about the emirate’s current economic and political problems. In another example, the British newspaper *The Sunday Times* was not distributed in Dubai on November 29, 2009, over the publication of a cartoon, which the authorities deemed insulting. The cartoon showed the emirate’s ruler, Sheikh Mohammed bin Rashid al Maktoum, drowning in an ocean of debt, headlined “Dubai’s Dream is Sinking.”

Authorities actively restrict Internet access, as well. The panelists agreed that the government’s sole Internet service provider, Etisalat, filters various websites that contain pornography or political, religious, or cultural content thought to be in violation of the law. Cyberpolice have been

monitoring the web since December 2008 to keep a close watch on netizens. They processed more than 200 cases in 2009, most of them linked to cybercrimes and hacking, according to the authorities. New rules—apparently not enforced—require that cybercafé users show identification and provide their personal data. Although the country now has several hundred cybercafés, they are not the population’s main access point; most Internet users surf the web in their homes and workplaces.

In addition to the intensifying surveillance of the Internet, a new freedom-restricting legal arsenal is now being implemented. According to certain articles of the 2006 law on cybercrime, an Internet user can be imprisoned for “opposing Islam,” “insulting any religion recognized by the state,” or “contravening family values and principles.”

According to a survey published by the *Khaleej Times*, more than 95 percent of respondents oppose the present filtering system. Despite the resistance, the government has made the system even more restrictive. Even Dubai Internet City and Dubai Media City, which had been spared up to this point, are now targets of the filtering, ignoring promises made to investors.

The government also has banned voice-over IP (VoIP) services, citing concerns that it may affect the government-controlled telecommunication sector; hence VoIP sites such as Skype are filtered. News reports are available increasingly on mobile phones, which are very popular with residents.

Still, overall, the panelists agreed that locals have relatively broad access to domestic and international media. In terms of affordability, Mansoor commented, “Access to these news sources is generally affordable. The cost of daily newspapers is AED 2 (\$.50), and satellite dishes are available across the country for about \$50. Modern telecommunications infrastructure makes it possible for residents to obtain affordable high-speed Internet connectivity, and the availability of Internet cafés has made access to the Internet fairly affordable even for low-income laborers.”

UAE has no independent local news agencies. There is one state-owned agency, the Emirates News Agency (WAM), which supplies local media with non-critical news such as coverage of government activities and events. Regarding local news agencies, local media outlets do not use WAM frequently, as its stories focus heavily on statements relating to government decisions or policies. It is clear that media outlets are freely choosing not to use most WAM releases. Local media outlets prefer AFP, AP, and Reuters, which have bureaus in the country. Although the panelists consider this approach positive, and indicative of the international orientation of the media in UAE, it leaves a distinct gap

in coverage of government affairs and national and local matters, as van Hees noted.

A handful of conglomerates with government ties own most media outlets, as reported last year. However, details about shareholders are not released publicly or easy to obtain. Following the privatization of government media, Abu Dhabi Media Company formed in 2007 and incorporated all the government-owned media under its umbrella. Similarly, Dubai created Dubai Media Incorporate Arab Media Group before that. Last year's panelists observed that privatization has been misleading in some ways, giving the impression that media are private and not connected to the government—but ultimately, the government still owns the media.

Despite the quantity of media available and the relative affordability for UAE citizens, most of the panelists agreed that the UAE media sector does not represent the different opinions and views within society. Only pro-government and culturally accepted reports and views can be disseminated to the public, and coverage of local politics is generally poor and uncritical. Some panelists, including al Maainy, said this is a natural result of UAE's political system, which does not allow political parties, and the absence of minority groups among UAE citizens. However, as noted in last year's MSI, the expatriate majority is served by many non-Arabic-language media. These outlets cover activities and events pertaining to community groups and provide news from the expats' home countries—mainly India, Pakistan, and other Arab countries.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### United Arab Emirates Objective Score: 2.65

Most of the panelists agreed that media companies in UAE are successful and profitable, particularly after their first few years of operation. Van Hees, however, shared a different point of view. "The owners may be an impediment to diversity in media. Both of the UAE's two most prominent emirates, Abu Dhabi and Dubai, are well represented in the media spectrum in UAE, while the other emirates, unfortunately, are less involved. Also, there is a lack of interest from UAE private investors in the media sector, as media projects may require huge investments, while the benefits may tend to be very small," she said.

Advertising supplies the bulk of revenue for the media. Advertisement spending in UAE is the highest in the region, reaching \$1.46 billion in 2007, according to figures released by the Pan Arab Research Centre (PARC). The media receive more than 80 percent of advertising spending, while newspapers as a group represented the single largest

*The media receive more than 80 percent of advertising spending, while newspapers as a group represented the single largest platform—70 percent of overall advertising spending—during 2009.*

platform—70 percent of overall advertising spending—during 2009. Arabic newspapers constitute nearly 42 percent of the total advertising spending in newspapers, sometimes causing them to expand the number of pages considerably.

With the exception of magazines, the top spenders across most media are telecommunications companies, according to PARC. It ranks Etisalat at the top of television advertising spending, followed by another telecommunications company, du, in third place. Etisalat also topped radio spending, followed by du in second place. Du topped newspaper advertising spending, and was followed closely by Etisalat in second place. Du ranked third in spending in the magazine category.

UAE's favorable market conditions, such as tax-free newsprint and other materials, have allowed many commercial magazines and publications to emerge. Yet privately owned media in the UAE fail to diversify their income streams, and there is no direct financial support from the government to private media. Van Hees underlined the negative sides of the competitive market conditions in the UAE: "Media in the UAE do focus on the UAE as a market—even the entertainment sector—and less on building a sense of cohesion; [an] inclusive

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

*Dandarawy added, "On several occasions, the EJA issued a statement in which it criticized what it called 'allegations' in the Human Rights Watch reports about the situation of freedoms in the UAE."*

and coherent society. We need to work more on such aspects crucial to the devolvement of coherent societies," she said.

State-owned media rely heavily on state funding and, increasingly, on advertising, resulting in a more balanced approach in funding their operations, while the bulk of private media's income comes from advertising. The amount of advertising and advertising revenue is high but concentrated. Mansoor pointed to the potential damage that advertisers could have on newspapers in terms of objectivity and neutrality. He said, for example, that newspapers fear running anything critical of Dubai-based Emaar Properties (one of the world's largest real estate companies) and its joint ventures with Israeli companies, because it has a massive advertising budget and may retaliate against negative reporting by suspending its advertising buys.

No formal statistics exist on UAE newspaper ratings and circulation. The only private institution that conducts a readership survey is Ipsos MediaCT, a global research company that specializes in market studies and provides research solutions for companies in the fields of media, content, telecommunications, and technology. Ipsos's latest (2010) readership survey figures show that 85 percent of the country's population reads one publication or another, which is great news for an industry that has been feeling the edge of the global recession.

According to that survey's statistics on daily publications, 47.9 percent of non-Arab population across the emirates turns to *Gulf News*. *Khaleej Times* stands at 27 percent, followed by *The National* at 11.5 percent and *Seven Days* at 9.1 percent. Among the Arab population across the emirates, *Al Khaleej* stand at 89.5 percent, followed by *Al Itihad* at 66 percent and *Al Bayan* at 65.6 percent.

The readership survey by Ipsos MediaCT, conducted annually, was designed to cover 4,262 interviews across the UAE. The fieldwork execution period was between January and June 2010. Ipsos MediaCT's expertise lies in analyzing market potential and future trends. In the study, sampling units are based on adult individuals in each household, created after detailed face-to-face interviews. The samples were then drawn, weighted, and grossed to represent the total adult population of the UAE age 15 years and above.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### United Arab Emirates Objective Score: 2.09

Civil society in UAE is extremely weak, and UAE's government does not allow the formation of trade unions, syndicates, journalists' unions, or media organizations. "The 2008 Public Benefit Societies Law imposes many restrictions and barriers on civil society organizations, hampering even moderate efforts," Mansoor said. UAE has no trade association representing independent media owners, nor have media corporations taken any initiatives to establish any form of union or association to promote their interests. However, UAE journalists succeeded in establishing their own professional body, the Emirates Journalists Association (EJA). The association has 800 members, about half of whom are UAE nationals. The EJA's objectives include protecting and strengthening the rights and freedoms of journalists and upholding and improving UAE journalism.

Yet panelists widely criticized the EJA's performance and its relationship with the government. "The government fully supports and finances the EJA—thus, EJA cannot play an independent role in protecting or supporting journalists who are subjected to threats," Mansoor said. "When it comes to defending the freedom of expression and the press, the EJA has failed dramatically." Dandarawy added, "On several occasions, the EJA issued a statement in which it criticized what it called 'allegations' in the Human Rights Watch reports about the situation of freedoms in the UAE."

Van Hees said that many academics, civil society leaders, and activists promote free speech at their local level, noting that "NGOs, as well as local activists, requested some amendments

### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

#### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

and reforms to the new law, with some success." Yet, she concluded, a legal framework to guide NGO work on media and freedom of speech is much needed.

Many panelists agreed that the Emirates Human Rights Association (EHRA), founded in 2006, is not a totally independent NGO. Mansoor expressed his disappointment with its efforts to protect freedoms of expression and the press: "EHRA is virtually non-existent in defending human rights issues in compliance with the international standards and the underlying conventions of human rights work. The strong ties between EHRA and the government extend beyond the financial support provided through the Ministry of Social Affairs," he said. "The failure of the local NGO-equivalent associations to defend the rights of people in the country has led many human rights activists to seek support from international organizations, which some believe are more effective than the crippled local organizations."

In 2009, the Jurist Association, an NGO established in 1980 to promote the rule of law and to raise professional standards among jurists, was subjected to mounting governmental restrictions. The government did not permit association representatives to attend meetings abroad. Members also complained of pressure to quit the association, including questioning by the Judiciary Supreme Council and threats of dismissal for those with public sector jobs. Former association president Muhammad al Mansoori, who has been harassed by UAE authorities for years, was arrested on June 7 without explanation, though he was released later the same day. Authorities have refused to renew his passport since March 2008.

Regarding formal education for UAE journalists, last year's MSI noted that academic institutions that offer media courses are strong on the technical side, but weaker in the intellectual underpinnings of the profession. However, panelists in last year's study noted that some media organizations avoid hiring higher-caliber graduates, who might have standards and points of view that could prove problematic for media establishments; instead they prefer those content to stick to safer work.

Also noted in last year's study, short-term training courses are available and draw praise in the media community for compensating for the deficiencies in academic journalism programs.

The UAE's open market economy has allowed newspaper publishers to freely import and purchase newsprint directly and through private companies. Many panelists agreed that the government has had no influence in the process; Mansoor commented that "the free market economy in UAE permits the selling and distribution of all kinds of media products without restrictions." The panelists said also that the government does not dictate how or where newspapers or other media products are sold. The government does not restrict broadcasting of live or recorded content via satellite, provided that the content is aired by a licensed broadcast media establishment and takes place inside the boundaries of the Dubai Media City.

## List of Panel Participants

**Ahmed Mansoor**, media consultant, writer, and media freedom advocate, Ras Al Khaimah

**Adel Dandarawy**, researcher, Ministry of Presidential Affairs, Abu Dhabi

**Amal van Hees**, director, Bridging the Gulf Foundation, Dubai

**Elias al Barrag**, media expert and columnist, *Al Itihad*, Abu Dhabi

**Fadheela al Maainy**, managing editor, *Al Bayan*, Dubai

## Moderator and Author

**Atef Mohamed**, journalist and consultant, Gulf Forum for Citizenship, Dubai

*Conflicting panelist schedules prevented a panel discussion from being held in UAE. This report was compiled after meeting panelists on an individual basis.*

*The United Arab Emirates study was coordinated by, and conducted in partnership with, Gulf Forum for Citizenship, Muscat, Oman.*

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*While wars and rebellions were fought on the ground, the press also came under fire. Authorities closed newspapers, journalists were kidnapped and assaulted, and newspapers faced prosecution in the courts.*



YEMEN

# Y

Yemen experienced the escalation of several internal crises in 2009. The country saw six rounds of war between the army and the al Hawthi rebel group in the northern governorate of Sa'ada. The fighting left thousands dead and injured and displaced hundreds of thousands of people. In the sixth conflict, in November 2009, Saudi Arabia was involved directly as a third party.

In South Yemen, the volatile situation worsened with the escalation of the protest movement demanding secession from North Yemen. The economic conditions in the country deteriorated further and Al Qaeda became more active. In the beginning of 2009, the terrorist group announced a merger of its offshoots in Yemen and Saudi Arabia under the leadership of "Al Qaeda in the Arabian Peninsula."

The strained relationship between the ruling party and the opposition deteriorated further by the end of 2008, with the approach of the parliamentary elections that had been scheduled for April 2009. The agreement to postpone the elections for two years did not result in a breakthrough and instead accelerated the political deadlock.

The overall political landscape in Yemen has complicated the major challenges that Yemeni media face already, in a profession with increasing intrinsic risks and decreasing incentives. Yemeni media have paid a price repeatedly for covering the country's crises. While wars and rebellions were fought on the ground, the press also came under fire. Authorities closed newspapers, journalists were kidnapped and assaulted, and newspapers faced prosecution in the courts. The government suspended a number of private newspapers because of their coverage of the protests in the south. Local journalists were arrested and prosecuted, and journalists working in the offices of Arab satellite channels, such as Al Jazeera and Al Arabiya, were harassed and had their equipment confiscated.

# YEMEN AT A GLANCE

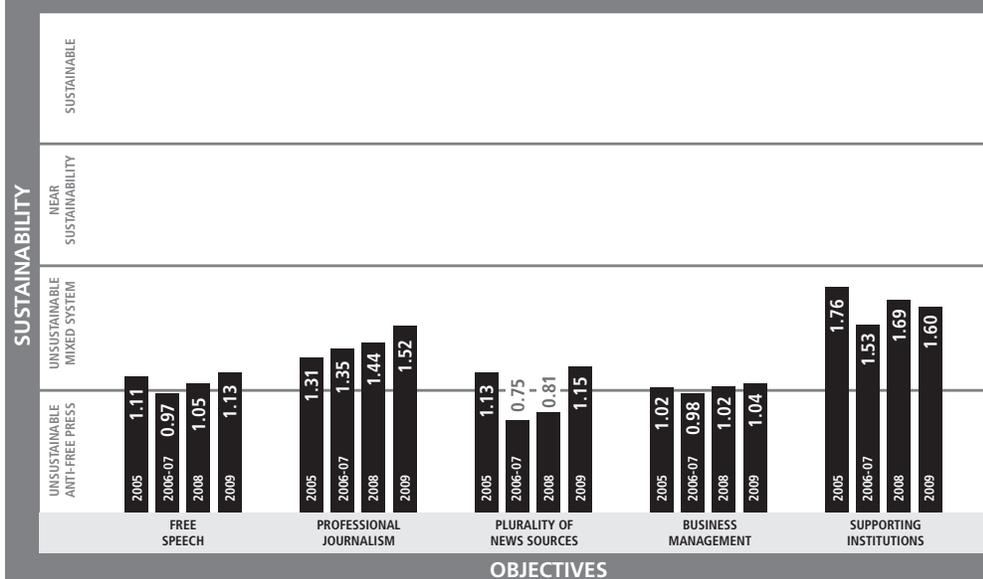
## GENERAL

- > **Population:** 23,495,361 (July 2010 est., *CIA World Factbook*)
- > **Capital city:** Sana'a
- > **Ethnic groups:** predominantly Arab; but also Afro-Arab, South Asians, Europeans (*CIA World Factbook*)
- > **Religions:** Muslim including Shaf'i (Sunni) and Zaydi (Shia), small numbers of Jewish, Christian, and Hindu (*CIA World Factbook*)
- > **Languages:** Arabic
- > **GNI (2009-Atlas):** \$25.03 billion (World Bank Development Indicators, 2010)
- > **GNI per capita (2009-PPP):** \$2,330 (World Bank Development Indicators, 2010)
- > **Literacy rate:** 50.2% (male: 70.5%, female: 30%) (2003 est., *CIA World Factbook*)
- > **President or top authority:** President Ali Abdallah Saleh (since May 22, 1990)

## MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Print: At least 150 newspapers and magazines licensed by the Ministry of Information, including 54 official publications; Radio: 10 radio stations, 2 nationwide: Sana'a (General Program) and Aden (Second Program); Television: 2 (Sana'a and 22-May TV), both government-run; Sana'a TV Channel also transmits via digital and analog satellite (Arabsat and Nilesat) (Ministry of Information, 2003)
- > **Newspaper circulation statistics:** The top 3 are *Al Thowra* (official daily), *Al Ayyam* (independent daily), and *26-September* (weekly; run by Ministry of Defense)
- > **Broadcast ratings:** N/A
- > **News agencies:** Saba News Agency (state-owned)
- > **Annual advertising revenue in media sector:** N/A
- > **Internet usage:** 2.34 million (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: YEMEN



### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Yemen Objective Score: 1.13

In their appraisal of legal and social protections of free speech, panelists agreed that legal constraints, violations of the law, and government authorities' repressive acts against journalists and newspapers continue to hamper freedom of expression in Yemen.

A legislative environment guaranteeing the freedom of the media does not exist in Yemen. Although the constitution guarantees freedom of expression and the right of citizens to access information, often these provisions are not applied, and several contradictory laws constrain those freedoms, according to the panelists. Mohammed al Qadhi, an assistant professor at Sana'a University and a reporter, said that protection for the freedom of expression "is provided for in the legal texts, but what is happening in reality is another matter." Jamal An'am, the chair of the Freedoms Committee in the Yemeni Journalists Syndicate (YJS), agreed. "We have a press and publications law that protects the freedom of the press to some extent," he said, but stressed that "multiple interpretations of some articles of the law allow for the repression of the press." Abdul-Aziz al Majeedi, a freelance journalist, added that "the legislative structure is crippled with contradictions."

Yemen's press and publications law has been in effect since 1990. The law includes a penalty of imprisonment and many restrictions on content that can be published. Some of the proscribed content is defined broadly and includes "anything which prejudices the Islamic faith and its lofty principles; anything which might cause tribal, sectarian, racial, regional or ancestral discrimination, or which might spread a spirit of dissent and division among the people or call on them to apostatize; anything which leads to the spread of ideas contrary to the principles of the Yemeni Revolution, prejudicial to national unity or distorting the image of the Yemeni, Arab or Islamic heritage; anything which undermines public morale or prejudices the dignity of individuals or the freedom of the individual by smears and defamation."

The Yemeni constitution has an article that guarantees the freedom of expression and freedom of opinion, as well as an article committed to implementing international conventions and treaties. But Samia al Aghbari, an independent journalist, said that such articles are ineffectual. "The laws relating to media work do not meet the aspirations of journalists by giving them a higher degree of freedom," she said. "The

*Al Majeedi agreed, saying, "Yemeni laws should be formulated in accordance with those international obligations, but we actually see the opposite in reality. Journalists are tried with a matrix of laws, such as the penal code and the criminal procedures law, in addition to the press law."*

state violates these laws and the constitution and does not abide by the treaties and conventions it signed."

Al Majeedi agreed, saying, "Yemeni laws should be formulated in accordance with those international obligations, but we actually see the opposite in reality. Journalists are tried with a matrix of laws, such as the penal code and the criminal procedures law, in addition to the press law. There are also many publication taboos and all these constrain the freedom of the press." In addition, laws such as the penal code and the criminal procedures law are applied selectively.

Al Aghbari also pointed to a number of problems that journalists face while on duty, including those related to legislation, with some linked to authorities' practices. "There are articles in the Yemeni penal code which could send the reporter to the death penalty, if applied," she said. "Some newspapers were tried under this law, as *Al Share'a* newspaper, which was tried on charges of 'revealing secrets that could weaken the morale of the army.'"

Al Buraihi, an assistant professor in the Media faculty of Sana'a University, described a problem of attitude. "The mentality of the legislator starts from the idea that the law should put restrictions on the freedom of expression... and does not stem from a profound understanding of the requirements of freedoms."

The media sector is also absent of social protections. Alawi al Saqqaf, a journalist with *Al Share'a*, explained how the social norms in a conservative and tribal society, such as in Yemen, have an adverse effect on the freedom of expression. "There are pictures or paintings the newspapers cannot publish," he noted.

Al Qadhi discussed the government's current proposed draft laws regarding the broadcast media, the press, and the right to information. In al Qadhi's opinion, these draft laws are "catastrophic" and "indicate that Yemen is heading towards the worst in legislation."

*Al Share'a editor-in-chief Mohammed Ayesh provided more details. "The Ministry of Information reserves the right to grant licenses for the publication of newspapers and uses political criteria in doing so, despite the existence of a law that allows resorting to the judiciary system in the event of failure of the ministry to issue the license."*

The process of granting licenses is politicized highly. The Ministry of Information discriminates based on its political mood in issuing licenses for newspapers. "The Ministry of Information does not deal with the applicants for licenses to publish newspapers in accordance with the law, but according to individual whims and based on the applicants' political orientation and their closeness to the people in the ministry and the ruling party," said Abdel-Salam Jaber, editor-in-chief of *Al Qadiyah*, an independent newspaper.

Al Saqqaf added, "There is no justice in granting licenses for newspapers. For example, the owner and publisher of *Al Sahre'a* applied for a license to publish a daily newspaper over a year ago, and until now he has not been granted this right, while other newspapers were given licenses quickly."

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing of broadcast media is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

*Al Share'a* editor-in-chief Mohammed Ayesh provided more details. "The Ministry of Information reserves the right to grant licenses for the publication of newspapers and uses political criteria in doing so, despite the existence of a law that allows resorting to the judiciary system in the event of failure of the ministry to issue the license. The judiciary system, in its turn, is subject to political manipulation."

According to the panelists, some newspapers have to apply political pressure to secure licenses. Mohammad Shamsaddeen, an independent writer and journalist, gave an example. "*Hadith al Madina* newspaper got its license only after its publisher started a court case, while *Al Yemen* newspaper and other newspapers sanctioned by the ruling party got their licenses easily." Freelance journalist Muneer al Naqeeb added, "The authorities have opened the door for licenses, but they make it easy for certain newspapers and persons who are affiliated with the ruling party or those the government wants to succeed, such as *Akhbar Aden* newspaper and *Al Yemen* newspaper, which started publishing with the help of a political decision and support. The other applications aren't usually processed or granted because they do not have the political support."

The government enlists severe restrictions with respect to plurality of broadcast media. "There are no independent TV channels broadcasting from Yemen, and the proof is that *Al Sa'eeda* channel broadcasts from Egypt, [and] *Suhail* and *Free Aden* from Britain," said al Naqeeb.

Panelists agreed that journalists in Yemen are vulnerable to frequent attacks, prosecutions, and trials under various pretexts. "Journalists are subjected to abductions and enforced disappearance, attacks, trials, and fabricated charges," al Aghbari commented. Abdul-Karim al Khiwani, Saleh al Saqaldi, and Hussein Alliswas were all arrested for their views.

Some journalists have paid a price for reporting on the country's conflicts, such as the rebellion in Sa'ada province in northern Yemen and the associated humanitarian crisis. Abdul-Karim al Khiwani was kidnapped and tried for such reporting. Mohammed al Maqaleh, a journalist that criticized the government over the continuing fighting in the north, was kidnapped by security intelligence and held for six months. Authorities assaulted and tried dozens of journalists and confiscated newspapers for covering protests in the south. The government banned eight newspapers in May 2009 for more than a month, and the independent *Al Ayyam* newspaper is still suspended. Its publisher and editor-in-chief Hisham Bashraheel has been arrested more than once for *Al Ayyam's* coverage of the protest movement in the south.

Majed al Madhaji, media secretary of the Arab Sisters Forum, noted that the media do not have the people's sympathy.

"Attacks on journalists do not provoke any public reaction, nor does it go beyond the condemnation responses of some civil society organizations, by the journalists, and by some newspapers and political elites."

According to al Madhaji, the media sector is muddled by government favoritism. "The relationship between the state and the media is characterized by confusion, as the state grants preferential privileges of resources to the state media—such as the state television and the official newspapers—and stops independent media from access to information, depending on the degree of the sensitivity of this information to the government."

Libel is dealt with under Yemeni law as a criminal act. Fathi Abu al Nasr, editor of the cultural magazine *Inziyahat*, said that the burden of proof is on the defendant, and journalists have no reciprocal legal recourse. "The journalists—not the official who is the object of the supposed defamation here—are required to provide evidence to defend themselves. On the other hand, nobody is prosecuted for the crimes committed against journalists." Mohammed Shamsaddeen elaborated: "The government has never prosecuted any person who assaulted a journalist, even though the perpetrators are often soldiers or security officers who are known to the court."

Ayesh said that frequently "Court cases are started against newspapers and journalists on charges of defamation of influential personalities or public institutions. Very often the credibility of the journalists' reports is not examined, and the journalists are convicted and sentenced."

Yemen lacks legislation to ensure the right of access to information. Al Majeedi confirmed that the government has exerted heavy pressure to prevent parliamentary initiatives on the right of access to information for all citizens. One example was the obstruction at the end of 2008 of a draft law adopted by an opposition MP in the parliament. Officials proposed another draft law, full of restrictions; however, both were thrown on the back burner.

Ayesh stressed that Yemeni law provides no freedom of access to information: "Information is always withheld from the media, and journalists are denied access to information except for those issues which the government wants the public to know [about]." Moreover, Ayesh added, "There are affairs that the law prohibits journalists even from approaching, such as the military and security institutions."

Hage' al Guhafi, a writer and journalist, noted that perhaps what most distinguished 2009 was civil society organizations starting to push the issue of access to information and the need to issue a law regulating access. "The outcome of these efforts became very clear in 2009, when the state began moving in the direction of issuing such a law, and began

for the first time talking about the issuance of legislation to regulate the activities of the broadcast media, as well as the electronic media and the Internet."

While the law requires journalists to receive accreditation from the Ministry of Information, many journalists practice their profession without obtaining a facilitative card or professional identification cards from the ministry.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Yemen Objective Score: 1.52

The score for professional journalism remained nearly unchanged compared to last year, as the panel gave its eight indicators an average score of 1.52, compared to 1.46 in 2008. The participants highlighted some limited individual attempts to improve the quality of the journalism profession, but stressed the existence of many obstacles—particularly lack of financial resources and shortage of training—that hinder quality and professionalism in journalism.

According to the panelists, news report content is predominantly limited to a single viewpoint. Al Qadhi said, "Journalists do not try hard to verify information from more than one source, and that is why the news pieces and news reports are usually one-sided." The existing media are "a propaganda tool," as al Buraihi described. "We are not witnessing much development in the field of media, such as providing the facts and information; the data; news and entertainment that meet the needs of the target audience," he said.

Al Qadhi conceded that there is an exception to this rule: At least one independent newspaper in the country tries to

## JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

### PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

*The existing media are “a propaganda tool,” as al Buraihi described. “We are not witnessing much development in the field of media, such as providing the facts and information; the data; news and entertainment that meet the needs of the target audience,” he said.*

cover the views of both sides in its news and events stories. However, this emphasis on objectivity can be financially damaging. “Professional newspapers [that do] exist, such as *Al Nidaa’* newspaper...suffer from many financial hardships because they do not blackmail institutions or people for advertisements, as some newspapers do.” He added that many so-called independent newspapers actually receive support from “the government, the army, and other sources.”

According to An’am, journalists are aware of the value of professionalism. “There is an increasing feeling among journalists for the need for a code of ethics and ethical journalism,” he stressed. “What is in place is some practices which were established with the traditions of credibility, professionalism, and commitment to objectivity.”

Journalists’ actual engagement in ethical practices varies according to professional experience and the interpretations of editors. An’am claimed, “There are a number of party and independent newspapers known for their commitment despite their scarce material resources.” Al Majeedi named the aforementioned *Al Nidaa’* newspaper as the most professional and independent Yemeni newspaper. “*Al Nidaa’* tried to develop a code of ethics, but the paper was unable to pay the salaries of journalists and, in some cases, it was not possible to publish the paper because of lack of financial resources,” he explained. Al Madhaji expressed the belief that, “There is a certain level of improvement in the quality of media work compared to previous years.”

Journalists and publishers practice self-censorship to a great extent also, out of fear of legal liability or loss of economic interests.

These constraints affect coverage of key events and issues. Some panelists said that the press is able to cover many issues, including the protest movement in South Yemen, the war in Sa’ada, and the crisis between the opposition and the ruling party. On the other hand, Ayesha said that the media do not cover many of the country’s key issues, and cited specifically, in contradiction to others, the war in Sa’ada and the crisis in the south. He attributed this to “the fear of

punishment, or to threats, which affect journalists if they try to approach some issues.”

Yemeni journalists receive low wages. According to Mohammed al Ghubari, editor-in-chief of *Mahattat* magazine and office director of the UAE daily *Al Bayan*, an average monthly wage does not exceed \$130; the upper limit is \$300.

Jaber contended that the lack of material resources for newspapers affects their impartiality in dealing with events. “Newspapers cannot find reporters and private sources, so they resort to the adoption of the news and reports that are based on other press sources—some of which may not be accurate,” he said. Al Guhafi confirmed the weakness of the infrastructure of independent newspapers, in terms of technical equipment as well as low wages for journalists. “The standard of quality and professionalism is still relative, and [where] it exists, it relies on individual skills.”

### OBJECTIVE 3: PLURALITY OF NEWS

#### Yemen Objective Score: 1.15

Plurality in the media is limited by government control over terrestrial broadcasting and the partisan nature of most print media. Even in the case of the latter, panelists agreed that circulation of newspapers is very limited, due to widespread illiteracy among citizens. Internet service is confined to urban users. Abu al Nasr said that the press in Yemen “does not meet the reading needs, as the best of the newspapers are printed in the main cities with a few thousand copies, while the majority of the population is based in rural areas, surrounded by ignorance, poverty, and underdevelopment. However, satellite technology has contributed in bridging this terrible information gap to a great extent.”

The country has no independent daily newspapers, except *Akhbar al Yawm*, which is still considered to belong to political and military power centers in the government. The independent *Al Ayyam* was published from Aden but the authorities halted its publication starting in May 2009 for its coverage of the protest movement in the south. “The access of independent media at the national level to the countryside is impossible, and this remains the monopoly of the broadcast media,” noted Ali al Buraihi, an assistant professor in the College of Media at Sana’a University. “Accessing sources for coverage of local issues is very limited for the independent and party newspapers. Therefore, many of the independent and party newspapers lack reliable information from the official sources.”

The Yemeni government continued its dominance over the state-run media. The ruling party (the General Congress Party) owns four weekly newspapers as its mouthpiece, in addition to a number of e-newspapers. The government maintains complete control of the ownership of broadcast media. Al Madhaji explained, "There is relative multiplicity in terms of print media, but there is a monopoly by the government at the level of broadcast media."

Instead of responding to the continuous demands to loosen the stranglehold on the media, especially the broadcast media, the government spent more money on the establishment of new satellite channels, and sometimes supported its associates in launching private satellite channels operating from outside the country. In addition to two state-run satellite channels in Sana'a and Aden, the government launched a number of channels and intends to launch other channels (five more, according to what has been announced), including a military channel to be run by the Department of Moral Guidance of the Ministry of Defense. All of the channels are funded by public money.

The government has not formally prohibited private individuals or parties from starting satellite channels, but it has rejected several applications. Three Yemeni channels broadcast from outside the country (Cairo and London), with one owned by the opposition leader and tribal sheikh Hamid al Ahmar. During 2009, the southern opposition forces abroad demanding the secession of South Yemen launched Aden channel, which broadcasts from London through the Egyptian satellite, Nilesat. The Yemeni government has placed great pressure on Cairo and London to stop the broadcast of the separatist channel.

The only radio stations that exist are limited to those owned by the government. Two main national radio stations broadcast from Sana'a and Aden, and eight other radio stations broadcast locally. The government has announced its intention to start more radio stations in the governorates.

Among print media, four state-owned institutions have different degrees of prevalence. The most notable one is Al Thawra Foundation for Press, Printing, and Publication, which publishes *Al Thwara* daily newspaper. There is also Al Gumhuriya Foundation in Taiz, the 14th of October Foundation in Aden, and Shibam Foundation in Hadramaut. The Ministry of Defense publishes the *26th September* newspaper in a weekly hard copy and a daily electronic version. The newspaper is affiliated to the Moral Guidance Department of the Ministry and is subject to the Military Law.

With the exception of *26th September*, all the media outlets mentioned above come under the Ministry of Information.

The government exercises exclusive rights in the appointment of the outlets' leadership and setting their editorial policies. Opposition parties accuse these media of being fully biased in favor of the government.

Against this governmental dominance of the media, political parties have a number of newspapers with limited equipment that print on the state printing presses. Some of these parties produce electronic versions. The country has dozens of publications and magazines that are owned by individuals but these lack resources. Of all these publications, only a very limited number of newspapers are popular and widespread among the people.

There is easy access to the international media, especially satellite television, with no restrictions whatsoever on viewing in the urban areas.

Al Saqqaf commented that the various state media operate as if they were owned by the ruling party. "There is only one news agency in the country and it is state-owned, which always takes into account the ruling party's policy," he said.

Yemen has no independent local news agencies. There is only one state news agency, Saba, which is the main supplier of official and local news for the state-run media. Recently, this agency started a daily newspaper that it distributes to specific points of sale.

The religious and sectarian minorities in Yemen express their interests in the press only rarely, although Abu al Nasr

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens' access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

pointed to a recent surge in minority issues coverage in the independent newspapers.

#### OBJECTIVE 4: BUSINESS MANAGEMENT

### Yemen Objective Score: 1.04

Panel members agreed that Yemeni media, particularly the print media, are not economically feasible because of weak structure, limited financial resources, and the reluctance of private capital entities to invest in the press. The editorial policies of these newspapers come under the influence of commercial and political interests because of the scarcity of other revenue.

According to journalist Shamsaddeen, government oppression is behind the media's financial woes. "The political environment in Yemen prevents transforming media into an investment, as businessmen are afraid of advertising in independent or opposition newspapers for fear that they will lose their interests with the government. Businessmen are also apprehensive of moving into the media industry and investing in this sector because of the sensitivity of the publishing problems and investigations, and because of fear that what is published in the newspapers will be taken as reflecting their personal stance."

Yemeni media also lack market competition. "Yemen has not yet entered the era of the media industry, where it could be taken as a source of income and investment, and the Yemeni environment is not a market for doing business in media because it does not allow competition, and does not encourage investment in the media," explained al Buraihi. "The political system in Yemen considers the media a key pillar," he said, submitting as proof the dominant ownership

#### INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- > Independent media do not receive government subsidies.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- > Broadcast ratings and circulation figures are reliably and independently produced.

position of the state and ruling party. "This led to the lack of market competition and the absence of media industry and investment in this sector," he concluded.

The panelists agreed on nothing more unanimously than the fact that the independent press lacks a minimum infrastructure. Most independent newspapers are dominated by individual ownership, and as such, start with weak resources.

Most independent media houses in Yemen are confined to the print press. However al Ghubari said that some of the Yemeni satellite channels broadcasting from abroad, like Al Saeeda, Suhail, and Al Aqeeq, "have represented good business enterprises," but their success depends on the "degree of proximity of these media outlets to the ruling party, and also on the project owner and his financial resources." Al Aghbari claimed, "There is no independent media because of the support by institutions and companies, which gives the advertiser control of the editorial policy of the media outlet to a great extent."

Shamsaddeen cited low prices for advertisements and advertisers' alienation from opposition and independent newspapers as preventing the media sector from becoming profitable. Jaber explained that advertisers are reluctant to advertise in the majority of newspapers that criticize the government's performance "because they think that when advertising through these newspapers, the government will throw accusations at them." The government, as he said, "deliberately harms and harasses advertisers if their ads are published in the opposition newspapers."

According to al Saqqaf, occasionally independent media receive funding from the government. "The source of income of these newspapers from commercials does not cover their expenses, so many of them are forced to provide some concessions to political sides in search of financial resources."

The media sector in Yemen has a total absence of market and audience research.

#### OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Yemen Objective Score: 1.60

Unlike the previous objectives, the fifth objective recorded a slight decrease in the panel members' average scores. This may be due to the increased level of abuse directed at journalists and the newspapers, the weakness of the entity that is supposed to defend them, and the absence of any coordinated action between the media in the form of unions or professional associations. Some panelists talked about a decline in YJS's performance in defending its members.

Ayesh and al Majeedi judged the performance of YJS as weak and inefficient. According to them, the government funding for YJS activities, the political influence of the ruling party, and the opposition to YJS leadership have paralyzed the syndicate.

Most panelists agreed that civil society organizations are supporting journalists. Al Qadhi cited an example of a number of organizations that support journalistic freedoms; they include Women Journalists Without Chains, the Organization for the Defense of Human Rights, and the Sisters' Arabic Forum for Human Rights. These institutions organized numerous events to demand the release of Mohamed al Maqaleh, Abdul-Allah Haider, and others. Al Aghbari and al Madhaji expressed the belief that civil society organizations have played a prominent role in defending and protecting freedom of expression, and have coordinated well with international and regional organizations to expose what was happening in these cases in order to pressure the authorities.

Quality journalism degree programs do not exist in Yemen. Media education institutions do not have the necessary resources and capabilities to prepare students to work in the press. According to al Majeedi, "There is a dearth of teaching staff, and current professors lack qualifications and sufficient expertise in the field of media. Education also focuses on theory and there is no practical application of relevant skills."

Training opportunities for journalists in Yemen are limited. Al Ghubari said that the training programs for journalists "do not match the level of challenges faced by the press in Yemen" while al Majeedi said that the opportunities for training "are not useful, and are based on modest and stereotyped experiences."

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists' rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

Government and private printing presses operate in Yemen. However, as al Ghubari indicated, "this does not mean that the government cannot impose restrictions on the printing of newspapers—even in the private printing press, which imports newsprint with its own money."

## List of Panel Participants

**Jamal An'am**, journalist, *Al Sahwa*; chairman, Freedoms Committee, Yemen Journalist Syndicate, Taiz

**Samia al Aghbari**, journalist; chair, Committee for Protection of Freedom of Speech and Other Freedoms, Sana'a

**Salem al Awlaqi**, writer and researcher, Shabwah

**Abdul-Salam Jaber**, editor-in-chief, *Al Qadhiya*, Dhala

**Abdul-Aziz al Majeedi**, writer; former editor-in-chief, *Al Masdar*, Taiz

**Alawi al Saqqaf**, journalist, *Al Share*, Aden

**Ali al Buraihi**, assistant professor, College of Media, Sana'a University, Sana'a

**Fathi Abu al Nasr**, editor-in-chief, *Inziyahat*, Sana'a

**Majed al Madhaji**, journalist; human rights activist; media secretary, Arab Sister's Forum, Sana'a

**Mohammed al Ghubari**, editor-in-chief, *Mahattat*; director, *Al Bayan* Sana'a bureau, Sana'a

**Mohammed al Qadhi**, assistant professor, Sana'a University; correspondent, *The National*, Sana'a

**Mohammed Ayesh**, editor-in-chief, *Al Share*, Dhamar

**Mohammed Shamsaddeen**, freelance journalist, Sana'a

**Muneer al Naqeeb**, freelance journalist, Lahej

**Hage' Al Guhafi**, writer and journalist, founder and former editor-in-chief, *Maal wa A'maal*, Sana'a

## Moderator and Author

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